

ORDINANCE NO. 2019-03

ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWN OF HARTFORD

WHEREAS, a public hearing was duly held; and

WHEREAS, the Town Planning Commission recommended said zoning changes; now therefore

THE TOWN BOARD OF THE TOWN OF HARTFORD, WASHINGTON COUNTY, WISCONSIN DOES ORDAIN THAT THE TOWN ZONING ORDINANCE BE AMENDED AS FOLLOWS:

Section 3.09 ACCESSORY STRUCTURES R AND R-4 DISTRICTS

3.09 ACCESSORY STRUCTURES

- (1) The following accessory structures may be permitted only in the side or rear yard, or in the side yard or street yard of a lake lot.
 - (a) Accessory buildings such as garages, gardening, tool, storage sheds, playhouses, or gazebos, require the issuance of a building permit. Accessory buildings shall be located at least seven and one-half (7-1/2) feet from the principle structure, shall be located not closer than seven and one-half (7-1/2) feet to a lot line, and shall not exceed twenty-five (25) feet in height. Accessory structures 150 square feet or less may be permitted up to five (5) feet from a side or rear property line.
 - (b) If an accessory structure is to be joined to a principle structure, the joined structure must meet all the requirements for a principle structure.
 - (c) Requirements for accessory structures in a shore yard shall be determined by Washington County Parks & Planning Department.
 - (d) Accessory structures shall be located no closer than twenty-five (25) feet to an access easement or existing private roadway unless a greater setback is required by other provisions of this ordinance.
 - (e) In the case of through lots, no accessory building or structure shall extend into the setback area of either street unless specifically exempted by this ordinance.

- (2) The following accessory uses and structures are permitted in any yard. Accessory structures are not permitted in a front/street yard unless otherwise specifically exempted by this ordinance. The following accessory uses and structures may be placed in any yard without a building permit provided that such use shall not be located closer than five (5) feet to a side or rear lot line and shall not exceed fifteen (15) feet in height; basketball hoops, bird baths, fountains, lawn

furniture, religious statutes, and wishing wells. Flag poles shall not be located closer than 5 feet to a side or rear lot line, shall provide at least ten (10) feet of clearance to any electric wire, and shall not exceed the height limitation for the zoning district in which they are located.

- (3) Total allowable area of accessory structures in the R and R-4 Residential District.

(See accessory structure size limitation proposal ordinance 2019-01)

- (4) Accessory Structure Design Requirements in the R and R-4 Residential District.

New accessory structures located in Residential District R, or the Pike Lake Residential District R-4, over 150 sq. ft. shall be subject to design requirements.

Comment: These design requirements would apply to all new and replaced accessory structures over 150 sq. ft. in area.

Accessory buildings under 150 sq. ft. such as dog houses, garden sheds, greenhouses, prefabricated wood, metal, or plastic storage buildings, etc. would be exempt from these design requirements.

- (a) Exterior materials used on the accessory structure shall be of a type intended for use on residential buildings.

Comment: This would include materials such as asphalt or rubber roofing, standing seam metal roofing, horizontal metal, wood, vinyl, or cement board siding, wood composite siding (such as Masonite or LP Smart siding), appearance grade exterior plywood (such as T-111 siding), pvc, wood, or metal trim, stucco, brick, stone, etc., and wood, metal, fiberglass, pvc, or wood composite doors and windows, and other building materials used on residential buildings.

- (b) Vertical metal siding (pole building siding) is prohibited.

Comment: A "pole" building is a type of frame. The building could still be a "pole building" type frame, but would be required to have a residential type exterior covering.

Comment: The intent of this restriction is the appearance, not the structure of the accessory building.

- (c) These design considerations do not apply to existing accessory structures, or to the repair, or remodeling of existing accessory buildings, or to additions under 50% in area of existing accessory buildings.

Comment: These design requirements are intended to go forward, not backward. This proposal is not about trying to retroactively force the rebuilding of any existing buildings.

- (d) If a principle structure features design accents such entry sidelights, an octagon window, copper trim, a brick veneer accent wall, or a brick veneer skirt below the siding, these features do not have to be applied to the accessory structure.

Comment: The intent is to require an accessory building to resemble a residential structure in a residential neighborhood, not to be a smaller exact duplicate of the principal residential structure.

- (5) Ground mounted satellite dishes. Microwave, television, radio dish antenna, and satellite dishes, except satellite dishes under two (2) feet in diameter, must be located at least seven and one half (7-1/2) feet from any property line and may not be installed in any front street yard.

Note: There is nothing in this proposal requiring matching, or similar, colors, textures, or materials. The materials would not have to match; they would only have to be "residential". For example, a principle structure with horizontal cement board siding and brick accents, and an accessory structure with T-111 plywood siding and no accents.

This Ordinance shall become effective the day after proof of posting the same in three (3) public places in the Town and has been filed and recorded by the Town Clerk.

Passed and adopted by the Town of Hartford, Washington County, Wisconsin, this 11th day of February, 2019.

Maurice Strupp, Chairperson

Ryan Lippert, Supervisor

Ralph Horst, Supervisor

Attest:

Rebecca Schuster, Clerk