

**VILLAGE OF CLEVELAND, WISCONSIN
PETITION TO AMEND THE ZONING ORDINANCE**

Name of petitioner/s: CLEVELAND PLAN COMMISSION

Ordinance section to be amended: Sec. 10-1-44 (b) (2), 10-1-45 (b) (3), and 10-1-47 (b) (4)

Title of amending ordinance: An Ordinance to Allow Two Detached Private Garages per Single-Family Dwelling and Establish a Lot Coverage Limit in R-4 Resort Residential District

PURPOSE FOR REZONING

I/We have requested this amendment for the following purposes:

Current Village ordinance Sec. 10-1-44 (b) (2), 10-1-45 (b) (3), and 10-1-47 (b) (4) limits a property to one detached private garage per single-family dwelling. The proposed amendment would allow two detached private garages per single-family dwelling per residential lot.

Current Village ordinances do not place a lot coverage limitation in the Resort Residential District (R-4); this petition would add a 35% lot coverage limit, as provided in the Single- and Two-Family Residential District (R-2).

A private garage is defined in Sec. 10-1-150 as "Any accessory building or space for the storage only of not more than four motor vehicles per dwelling unit." This petition does not change that definition.

PREVIOUS PETITION

Date of previous petition (if none, write 'NONE'): NONE Disposition: _____
If denied, state fully on a separate sheet what change of circumstance or conditions warrant reconsideration.

ORDINANCE INFORMATION

- Attach a copy of the ordinance section that is to be amended. ATTACHMENT 1
- Attach the proposed ordinance for the Village Board to adopt, which shall include the exact language to be incorporated into the code of ordinances. ATTACHMENT 2

IMPACTED PARTIES

Identify on a separate sheet of paper those parties that may be impacted by the amendment.
ATTACHMENT 3

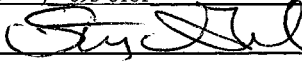
ADDITIONAL REQUIRED ITEMS

- Additional information as may be required by the Village.
- Fee receipt from the Village in the amount of Three Hundred (\$300) dollars. WAIVED

CERTIFICATION

I/we hereby certify that all the above statements and attachments submitted hereto are true and correct to the best of our/my knowledge and belief.

Petitioner/s (please print):

Name <u>STACY GRUNWALD</u>	Name _____
Address <u>1150 W WASHINGTON AVE</u>	Address _____
<u>CLEVELAND WI 53015</u>	_____
Phone (920) <u>693-8181</u>	Phone () _____
Signature <u></u>	Signature _____
Date Signed <u>08/03/2022</u>	Date Signed _____

FOR OFFICE USE ONLY

Date filed: 08/03/2022
Date of Commission meeting: 09/07/2022
Date of Village Board hearing: 09/20/2022
Date notice published: 09/01/202, 09/08/2022
Date of neighbor mailing: Village-wide change; does not apply
Disposition:
Date applicant notified:

Sec. 10-1-44. - Single-family residential district (R-1).

- (a) *Purpose.* This district is intended to provide areas for single-family dwellings on comparatively large lots that have community water and sewers.
- (b) *Permitted uses.* Land may be used and buildings or structures may be erected, altered, enlarged or used for only one or more of the following purposes:
- (1) Single-family dwellings.
 - (2) One accessory private garage per dwelling per lot.
 - (3) Accessory buildings and uses including the keeping of not more than two non-transient roomers or boarders in any dwelling, provided no sign is displayed and no separate cooking facilities shall be maintained in connection with said accessory use.
 - (4) Churches and schools, upon approval of a site development plan pursuant to section 10-1-136.
 - (5) Private swimming pools.
 - (6) Customary home occupations subject to section 10-1-33 of this chapter.
 - (7) Public parks, playgrounds, recreational and community center buildings and grounds.
- (c) *Conditional uses.* Land may be used and buildings or structures may be erected, altered, enlarged or used for only one or more of the following purposes if a conditional use permit for such purposes is granted by the village board:
- (1) Hospitals and clinics.
 - (2) Colleges and vocational schools.
 - (3) Funeral homes.
 - (4) Telephone exchanges, lines and transformer stations excepting service garages and storage yards.
 - (5) Golf courses.
 - (6) Public buildings.
 - (7) Two-family dwellings.
 - (8) Professional offices of doctors, dentists, attorneys, accountants, and other professionals.
- (d) *Area and height regulations.* No building shall be erected or structurally altered unless the following lot area requirements and yards are provided. No structure shall exceed the maximum height specified:
- (1) Minimum lot area shall be not less than 12,000 square feet.
 - (2) There shall be a front yard provided of not less than 30 feet from the right-of-way line.
 - (3) There shall be a rear yard of not less than 25 feet, except that accessory buildings and structures may be placed in the rear yard, but not less than four feet from the rear property line.
 - (4) There shall be a side yard provided on each side of the lot of not less than ten feet.
 - (5) The minimum lot width shall be 80 feet at the building line.
 - (6) The ground area occupied by the principal and accessory buildings shall not exceed 30 percent of the total area of the lot.
 - (7) No building or structure shall exceed a height of 35 feet or 2½ stories in this district.

(Ord. No. 2009-O-03, § 1, 4-14-2009)

Sec. 10-1-45. - Single- and two-family residential district (R-2).

- (a) *Purpose.* This district is intended to provide for areas in which single-family and two-family dwellings may be permitted on moderate sized lots that have community water and sewers.
- (b) *Permitted uses.* Land may be used and buildings or structures may be erected, altered, enlarged or used for only one or more of the following purposes:
 - (1) Single-family dwellings.
 - (2) Two-family dwellings.
 - (3) One accessory private garage per dwelling.
 - (4) Accessory buildings and uses including the keeping of not more than two non-transient roomers or boarders in any dwelling, provided no sign is displayed and no separate cooking facilities shall be maintained in connection with said accessory use.
 - (5) Churches and schools, upon approval of a site development plan pursuant to section 10-1-136.
 - (6) Private swimming pools.
 - (7) Customary home occupations subject to section 10-1-33 of this chapter.
 - (8) Public parks, playgrounds, recreational and community center buildings and grounds.
- (c) *Conditional uses.* Land may be used and buildings or structures may be erected, altered, enlarged or used for only one or more of the following purposes if a conditional use permit for such purposes is granted by the village board:
 - (1) Hospitals and clinics.
 - (2) Colleges and vocational schools.
 - (3) Funeral homes.
 - (4) Telephone exchanges, lines and transformer stations excepting service garages and storage yards.
 - (5) Golf courses.
 - (6) Public buildings.
 - (7) Boarding or rooming houses provided the conditional use standards of article D and the following requirements are met:
 - a. No boarding or rooming house may contain or be occupied by more than ten boarders.
 - b. One off-street parking space shall be provided for every two sleeping rooms contained in each residence in addition to the parking required for the manager or permanent household.
 - c. Not more than one non-illuminated sign advertising lodging or boarding not to exceed one square foot in area shall be permitted on the lot or building on which the rooming house is located.
 - d. The maximum lot area required shall be as specified in the zoning district in which the boarding or rooming house is located, plus 500 square feet for each sleeping room, provided beyond that which is required for the owner or managers.
 - e. The boarding or rooming house must meet all other applicable state, county or village codes and regulations.
 - (8) Professional offices of doctors, dentists, attorneys, accountants and other professionals.
- (d) *Area and height regulations.* No building shall be erected or structurally altered unless the following lot area requirements and yards are provided. No structure shall exceed the maximum height specified:
 - (1) Minimum lot area shall be not less than 7,200 square feet for single-family dwellings or 12,000 square feet for two-family dwellings.

- (2) There shall be a front yard provided of not less than 30 feet from the right-of-way line.
- (3) There shall be a rear yard of not less than 25 feet, except that accessory buildings and structures may be placed in the rear yard, but not less than four feet from the rear property line.
- (4) There shall be a side yard provided on each side of the lot of not less than ten feet.
- (5) The minimum lot width shall be 60 feet for single-family dwellings or 80 feet for two-family dwellings at the building line.
- (6) The ground area occupied by the principal and accessory buildings shall not exceed 35 percent of the total area of the lot.
- (7) No building or structure shall exceed a height of 35 feet or 2½ stories in this district.

(Ord. No. 2009-O-03, § 1, 4-14-2009)

Sec. 10-1-47. - Resort residential district (R-4).

- (a) *Purpose.* This district is intended to provide an area for a mix of housing types including year-round and transient housing units in areas that have community water and sewers available.
- (b) *Permitted uses.* Land may be used and buildings or structures may be erected, altered, enlarged or used for only one or more of the following purposes:
 - (1) Single-family dwelling.
 - (2) Cottages, cabins or seasonal dwellings.
 - (3) Motel or auto courts (not to exceed 20 units).
 - (4) One private garage per dwelling unit.
 - (5) Churches and schools.
 - (6) Public parks, playgrounds, recreational and community buildings and grounds.
 - (7) Private swimming pools or pools provided accessory to principal use.
 - (8) Uses customarily accessory to the preceding listed permitted principal use.
- (c) *Conditional use.* Land may be used and buildings or structures may be created, altered, enlarged or used for only one or more of the following purposes if a conditional use permit for such purposes is granted by the village board:
 - (1) Public buildings.
 - (2) Funeral homes.
 - (3) Golf courses, miniature golf, golf driving ranges.
 - (4) Public or private clubs.
 - (5) "Assisted-living" and similar establishments which provide such services using professionally trained, full-time, on-site medical or nursing staff as the primary business function.
 - (6) Multiple-family dwellings.
- (d) *Area and height regulations.* No building shall be erected or structurally altered unless the following lot area requirements and yards are provided. No structure shall exceed the maximum height specified:
 - (1) Minimum lot area shall be not less than 8,400 square feet.
 - (2) There shall be a front yard provided of not less than 30 feet from the right-of-way line.
 - (3) There shall be a rear yard of not less than 25 feet, except that accessory buildings and structures may be placed in the rear yard, but not less than four feet from the rear property line.

- (4) There shall be a side yard provided on each side of the lot of not less than ten feet.
 - (5) The minimum lot width shall be 70 feet at the building line.
 - (6) No building or structure shall exceed a height of 35 feet or 2½ stories in this district.
- (e) *Other development regulations.*
- (1) A site development plan, prepared in accordance with section 10-1-136 of this chapter, shall be submitted before a permit can be granted for any use in this district, with the exception of single-family dwellings.
 - (2) No outdoor storage of any material shall be permitted in this zoning district except within enclosed containers.
 - (3) No lighting shall be permitted which would glare from this zone onto any street right-of-way or onto any adjacent property.
 - (4) The development shall be designed to minimize visual and functional conflicts with neighboring uses within and abutting the district.

(Ord. No. 2003-02, § 1, 3-11-2003; Ord. No. 2010-O-04, § 1, 5-11-2010)

**VILLAGE OF CLEVELAND
MANITOWOC COUNTY, WISCONSIN
ORDINANCE NO. 2022-O-_____**

**AN ORDINANCE TO ALLOW
TWO DETACHED GARAGES PER SINGLE-FAMILY DWELLING**

The Village Board of the Village of Cleveland, pursuant to Sec. 61.35 and Sec. 62.23, Wis. Stats., do hereby amend Title 10, Chapter 1 *Zoning Ordinance*, of the Village of Cleveland Code of Ordinances and ordain as follows:

Section 1. Section 10-1-44 (b) (2) is repealed and substituted with the following:

Sec. 10-1-44 Single-Family Residential District (R-1)

(b) (2) Two accessory private garages per single-family dwelling per lot.

Sec. 10-1-45 Single- and Two-Family Residential District (R-2)

(b) (3) Two accessory private garages per lot.

Sec. 10-1-45 Resort Residential District (R-4)

(b) (3) Two private garages per single-family dwelling or one private garage per dwelling unit.

Section 2. Section 10-1-45 (d) (7) is created as follows:

Sec. 10-1-45 Resort Residential District (R-4)

(d) (7) The ground area occupied by the principal and accessory buildings shall not exceed 35 percent of the total area of the lot.

Section 3. This ordinance shall be effective upon adoption and posting as required by law.

Adopted this _____ day of _____, 2022.

VILLAGE OF CLEVELAND, WISCONSIN

Jake Holzwart, Village President

ATTEST: Stacy Grunwald, Village Clerk-Treasurer

MOTION: _____

VOTE: 0 Ayes 0 Noes 0 Abstentions

EFFECTIVE DATE: _____

IMPACTED PARTIES

1. Any property owner in the R-1 *Single-Family Residential District*; R-2 *Single- and Two-Family Residential District*; or R-4 *Resort Residential District*.
2. Any property owner of a single-family dwelling in R-1, R-2, or R-4 interested in adding a second detached accessory garage.
3. Any neighbor to a property whose owner relies on outdoor storage for vehicles rather than constructing a second detached garage.