



COMMUNITY DEVELOPMENT

201 DELAFIELD STREET
WAUKESHA, WISCONSIN 53188-3633
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Jennifer Andrews, Director

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NOTICE OF DECISION OF ZONING ADMINISTRATOR

July 28, 2022,

Please take notice that:

The property located at: 310 E Main St, is in a RM-3 zoning district. The request by application for appeal: Allow accessory structures to occupy more than 20% of the rear yard. Allow an accessory foundation to be less than the required 5' from a lot line. Allow more than 2 accessory structures on the same lot. Allow an accessory structure to exceed the maximum area of 1152 square feet when accessory to a two family or larger dwelling.

Is hereby denied because the application fails to comply with the Chapter:

22.58. 1. b.

22.58.2.a.(1)

22.58.2.a.(2)

[22.58 Accessory Use Regulations](#)

1. GENERAL REGULATIONS.

1. Accessory uses are permitted in the districts as specified in this Chapter. An accessory use building permit shall be required where specified in this Chapter. Accessory uses are permitted if there is an existing permitted principal structure, or a permitted principal structure is under construction. The use and/or location requirements provided for in this Chapter may be modified for accessory uses as specifically provided herein.
2. (Am. #38-02) Accessory uses and detached accessory structures shall be permitted in the rear yard only, not in a street yard or side yard, unless otherwise specified. Accessory structures shall not occupy more than twenty percent (20%) of the rear yard in all districts except the business and manufacturing districts where such uses and structures shall not occupy more than fifty percent (50%) of the rear yard area. When permitted in the side or front yard, accessory structures shall not occupy more than ten percent (10%) of the yard area.



2. SPECIFIC REGULATIONS.

1. Garages, garden and utility sheds, and gazebos are permitted upon the issuance of a building permit, provided that:
 1. (Am. #61-02) The nearest point of any accessory building shall be located no closer than five (5) feet from the permitted principal structure; shall be placed on a pad of concrete, asphalt, wood, or metal; shall be located so that the foundation is not closer than five (5) feet to a lot line; and shall not exceed the height restrictions specified in the applicable zoning district and shall not exceed the height of the principal structure. Any accessory building for motor vehicles shall be placed on a concrete floor or pad. Accessory buildings shall be set back at least five (5) feet from an alley, except if vehicular access to the lot is from the alley, accessory buildings shall be set back at least eight (8) feet from the alley.
 2. (Am. #61-02) No more than one accessory building shall be erected on a lot in any residential district when the principal dwelling has an attached garage. No more than two accessory buildings shall be erected on a lot in any residential district when there is no attached garage. When two accessory buildings are permitted, one structure shall not exceed seven hundred twenty (720) square feet in area when accessory to a single-family dwelling and shall not exceed one thousand one hundred and fifty two (1152) square feet when accessory to a two-family or larger dwelling; and the second structure shall not exceed one hundred fifty (150) square feet in area. When only one accessory building is permitted, it shall not exceed one hundred fifty (150) square feet in area. The Plan Commission may, at its discretion, permit more than two accessory structures when it determines that more than two (2) such structures are necessary to the efficient development of the property and that sufficient, usable open space areas remain on the lot.

An appeal from this decision may be taken to the Board of Zoning Appeals as provided in the Code of the City of Waukesha. The appeal must be filed in the office of the Community Development -Planning Department within 20 days of the date of this notice.

Kristin Stone Zoning Administrator – City of Waukesha



