

ORDINANCE NO.

VILLAGE OF BROWNSVILLE, DODGE COUNTY, WISCONSIN

**An Ordinance to Repeal and Re-Crete Section 18.05 R-2
Two Family Residential Zoning District**

WHEREAS, the village board of the Village of Brownsville desires to repeal and re-create section 18.05 of the Brownsville Municipal Code to regulate two-family zoning district development. Before approving this zoning ordinance, the Village Board conducted a public hearing and due notice and publication, and received input from the plan commission as required by law.

NOW, THEREFORE, the village board of the Village of Brownsville do ordain as follows:

I. Section 18.05 of the Brownsville Municipal Code is hereby repealed and re-created to read as follows:

18.05 RESIDENTIAL DISTRICT R-2.

(1) **PURPOSE.** This district is primarily intended to maintain the residential character of the district with two-family residential development.

(2) **PERMITTED USES:** Permitted uses are as follows.

(a) Two-family dwellings

(b) Single-family dwellings

(c) Community-based residential facility or community living arrangement for eight residents or fewer.

(3) **PERMITTED ACCESSORY USES:** Permitted accessory uses are as follows.

(a) Attached private garages and carports

(b) Detached gardening, tool and storage sheds.

(c) Detached private garages, provided that they are constructed of a similar type of construction as the principal structure. Different construction types may be used provided that they receive prior Plan Commission approval.

(e) Swimming pools

(4) **CONDITIONAL USES:** Conditional uses are as follows.

(a) All conditional uses listed in the R-1 Residential District

(b) Utilities and essential services

(c) Governmental and cultural uses such as fire and police stations, community centers, libraries, public emergency shelters, parks, playgrounds and museums.

(d) Public, parochial, and private elementary and secondary schools and churches.

(e) Side-by-side single attached dwellings in a two-family residential district.

(1) In granting a conditional use permit for side-by-side single attached dwellings in a

residential district (zero lot lines), the following conditions must be met:

- a. Side-by-side single-family attached structures are not to exceed two family living units with one common wall and lot line.
 - b. All building, fire prevention, area and yard requirements of the residential district apply excepting one common wall lot line.
- (2) The owner(s) of the property shall enter into a restrictive covenant zero lot line declaration or a zero lot line agreement in a form approved by the Village Attorney.

(5) LOT AREA, WIDTH AND HEIGHT REGULATIONS.

- (a) **Minimum Lot Size:** 7,200 square feet
- (b) **Minimum Lot Width:** 60 feet
- (c) **Maximum height:** 35 feet
- (d) No building area shall be less than 750 square feet per living area.
- (e) No building area shall be less than 750 square feet per unit under one roof.

(6) YARD AND SETBACK REGULATIONS.

(a) **Minimum Front Yard:** Twenty-five (25) feet or the average of the existing front yards of the existing principal structures on abutting lots on each side. If only one abutting lot is occupied by a principal structure, the minimum required front yard shall be the average of twenty-five (25) feet and the existing front yard of the existing principal structure on the abutting lot, whichever is less.

(b) **Minimum Side Yard:** The minimum width of one side yard shall be eight (8) feet. The minimum width of both side yards shall be twenty (20) feet.

(c) **Minimum Rear Yard:** 25 feet.

II. This ordinance shall become effective upon passage and publication according to law.

Passed by the Village Board of the Village of Brownsville in the County of Dodge, in the State of Wisconsin on this 10th day of February 2016.

Jeffrey Bloohm, Village President

ATTEST:

Marilyn Halley, Village Clerk

