

VILLAGE OF CENTURIA

ORDINANCE NO. 01 - 2023

AN ORDINANCE AMENDING THE MUNICIPAL CODE FOR THE VILLAGE OF CENTURIA, WISCONSIN

The Village Board of the Village of Centuria, Polk County, Wisconsin (the "Village"), hereby ordains Section 13-1-140 of the Municipal Code of the Village, amended to read as follows:

- (a) **Building Permit Required for Accessory Buildings.** No owner shall, within the Village of Centuria, build, construct, use or place any type of an accessory building, including prefabricated accessory buildings, until a permit shall have first been obtained from the Building Inspector. Application for an accessory building permit shall be made in writing to the Building Inspector. With such application, there shall be submitted the required fee and a complete set of plans and specifications, including a plot plan or drawing accurately showing the location of the proposed accessory building with respect to adjoining alleys, lot lines and buildings. If such application meets all requirements of this Section, the application shall be approved.
- (b) **Principal Use to be Present.** An accessory use or structure in any zoning district shall not be established prior to the principal use or structure being present or under construction. Any accessory use or structure shall conform to the applicable regulations of the district in which it is located, except as specifically otherwise provided.
- (c) **Number of Permitted Accessory Buildings.**
 - (1) In a residential district, a maximum of one (1) attached garage may be placed on a lot, if such attached residential garage meets the requirements set forth in this Section 13-1-140.
 - (2) In any zoning district, a maximum of two (2) detached accessory buildings or structures, including detached garages, may be placed on a lot in addition to an attached garage, if such detached accessory buildings and structures meet the requirements set forth in this Section 13-1-140.
- (d) **Size Limits for Attached Residential Garages.** One (1) attached garage per dwelling unit shall be permitted on residential lots, and the dimensions of said attached garage shall be as follows:
 - (1) The maximum square feet of attached garage floor area shall be limited to the smaller of either one thousand (1,000) square feet or the first floor dwelling unit area in the case of a single family residence.
 - (2) The maximum square feet of attached garage floor area shall be limited to the smaller of either six hundred (600) square feet or the first floor dwelling unit area in the case of a duplex, two-family dwelling, or multi-family dwelling.
- (e) **Height and Setback Requirements for Attached Residential Garages.**


- (1) Attached residential garages shall comply with the setback requirements for the principal building.
 - (2) When accessory buildings are attached to the principal building by a breezeway, passageway or similar means, they become part of the principal building and shall comply in all respects with the yard requirements and local building code requirements for the principal building.
- (f) **Size Limits for Detached Accessory Buildings and Structures.** Two (2) detached accessory buildings or structures per lot shall be permitted, and the combined area of the detached accessory building(s) and structure(s) shall not occupy more than 30% of the area of the required rear yard or exceed 5,000 square feet in total area, whichever is more restrictive. The dimensions of any swimming pool, tennis court, and other detached accessory building or structure shall be included in the determination of available lot area coverage for detached accessory buildings and structures.
- (g) **Height and Setback Requirements for Detached Accessory Buildings and Structures.**
- (1) Detached accessory buildings and structures shall be less than twenty (20) feet in height. Detached residential accessory buildings' and structures' roof pitch shall not exceed the steepest pitch of the principal building or structure.
 - (2) No detached accessory building or structure shall be located within five (5) feet of any other accessory building or structure.
 - (3) Detached accessory buildings and structures shall comply with the setbacks required for the zoning district in which they are located.
 - (4) A detached accessory building or structure shall not be nearer than ten (10) feet to the principal building or structure unless the applicable building code regulations in regard to one (1) hour fire-resistive construction are complied with.
 - (5) In no event can a detached accessory building or structure be forward of the front line of the principal building or structure.
- (h) **Use Restrictions – Residential District.** Accessory uses or structures in residential districts shall not involve the conduct of any business, trade or industry except for home occupations as permitted by Section 13-1-72 and shall not be occupied as a dwelling unit. Accessory buildings and structures shall not be used for residential purposes. Under no circumstances may a tent or recreational vehicle be used as a dwelling or an accessory structure.
- (i) **Corner Lots.** When an accessory building or structure is located on the rear of a corner lot, it shall not be located beyond the front yard required on the adjacent interior lot to the rear, nor nearer than three (3) feet to the side line of the adjacent building or structure.
- (j) **Landscaping Uses.** Accessory structures and vegetation used for landscaping and decorating may be placed in any required yard area. Permitted structures and vegetation include flag poles, ornamental light standards, lawn furniture, sun dials, bird baths, trees, shrubs, flowers, and gardens.

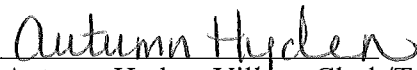
- (k) **Temporary Accessory Uses.** Temporary accessory uses, such as real estate sale field offices or shelters for materials and equipment being used in the construction of the permanent structure, may be permitted by the Zoning Administrator.
- (l) **Garages in Embankments in Front Yards.** Where the mean natural grade of a front yard is more than eight (8) feet above the curb level, a private garage may be erected within the front yard, provided as follows:
 - (1) That such private garage shall be located not less than five (5) feet from the front lot line;
 - (2) That the floor level of such private garage shall be not more than one (1) foot above the curb level; and
 - (3) That at least one-half (1/2) the height of such private garage shall be below the mean grade of the front yard.
- (m) **Outdoor Lighting.** Outdoor lighting installations shall not be permitted closer than three (3) feet to an abutting property line and, where not specifically otherwise regulated, shall not exceed fifteen (15) feet in height and shall be adequately shielded or hooded so that no excessive glare or illumination is cast upon the adjoining properties and shall not register more than one-half foot candles at the property line.
- (n) **Lawn Accessories.** Walks, drives, paved terraces and purely decorative garden accessories, such as pools, fountains, statuary, sun dials, flag poles, etc., shall be permitted in setback areas but not closer than three (3) feet to an abutting property line other than a street line.
- (o) **Retaining Walls.** Retaining walls may be permitted anywhere on the lot, provided, however, that no individual wall shall exceed six (6) feet in height, and a terrace of at least three (3) feet in width shall be provided between any series of such walls. (See Section 13-1-144.)
- (p) **Children's Play Structures.** For purposes of this Section, non-portable children's play structures, including play houses, tree houses or elevated play structures and climbing gyms, shall be considered accessory structures for purposes of complying with the setback requirements of this Section, whether such play structures are placed on a foundation or not. Portable swing sets, slides and sandboxes are not considered children's play structures for purposes of this Section. A building permit is not required for the construction of a play structure. Play structures shall not be used for storage or be constructed out of materials that would constitute a nuisance.
- (q) **Terrace Area Restrictions.** In addition to the definitions and restrictions contained in Title 6, Chapter 2, of this Code of Ordinances, no person shall place any accessory structure or use, including landscaping ornaments, stones and basketball backboard/hoops, in the terrace area.
- (r) **Offensive Uses Prohibited.** No accessory use shall be dangerous, obnoxious or offensive to persons residing in the vicinity, nor shall it impair the use, enjoyment or value of any property.
- (s) **Prohibited Dwelling Use.** No accessory dwelling unit in any Residential District shall be used or let for living purposes, whether for compensation or not.

- (t) **Gardening.** Home gardening is a permitted accessory use on any dwelling lot or the principal use on any vacant lot or parcel.
- (u) **Dog Houses/Runs.** Dog houses and/or runs shall comply with the setback requirements for accessory structures in that district.
- (v) **Agricultural Structures.** Agricultural structures in properly zoned districts, such as barns, silos and windmills, shall not exceed in height twice their distance from the nearest lot line.
- (w) **Variances.** As permitted and authorized by Section 13-1-193 of the Village Code, a party may submit a request for a variance to the requirements of this Section 13-1-140 when such party can submit proof that strict adherence to the provisions of this Section 13-1-140 would cause him/her undue hardship or create conditions causing greater harmful effects than the initial condition.

Adopted by the Village Board on Feb. 13, 2023.

VILLAGE OF CENTURIA

By: 
Stan Swiontek, Village President

Attest: 
Autumn Hyden, Village Clerk/Treasurer

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