

*Village of Baldwin, WI
Tuesday, April 30, 2019*

Chapter 635. Zoning

Article X. Accessory Uses and Structures; Fences; Swimming Pools; Portable Storage Containers

§ 635-78. Accessory uses and structures.

- A. 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.
- B. Placement restrictions in residential districts. An accessory use or structure in a residential district may be established subject to the following regulations:
 - (1) Accessory building number limits. In any residential district, in addition to the principal building, a detached garage or attached garage and one additional accessory building may be placed on a lot.
 - (2) Accessory building size limits. No attached accessory building or structure shall exceed the height of the principal building or structure or 24 feet, whichever is more restrictive.
 - (3) Attached accessory buildings. All accessory buildings which are attached to the principal building shall comply with the yard requirements of the principal building.
 - (4) Detached accessory buildings. No accessory structure shall extend closer to a street than the principal structure located on the lot. Accessory uses and structures which require a reduction in yard requirements may be located in the rear yard only. Accessory uses and structures shall not be closer than 10 feet to the principal structure; however, if the load-bearing walls of each structure have at least a one-hour fire rating, the Building Inspector may permit a building separation of only five feet. Accessory structures in business and industrial districts shall not exceed 25 feet in height and accessory structures shall not exceed 15 feet in all other districts. Accessory uses and structures placed in the rear yard of any district shall not occupy more than 20% of the rear yard area, or shall not exceed 400 square feet, whichever is more restrictive, and shall follow the setback requirements prescribed for the pertinent district.
 - (5) Garages. Garages, whether attached or detached, shall comply with the dimensional requirements of the zoning district in which located. Garages shall comply with the setback requirements applicable for principal structures on the lot.

- (6) Detached garages. Detached garages are permitted in the rear yard and side yards only. They shall not exceed the area requirements found in the standards for each zoning district and the roof pitch shall not exceed the steepest pitch of the principal structure. The total lot coverage shall not exceed the total allowed as set forth in the zoning district where the garage will be located. Total lot coverage shall include all buildings located on the lot.
- C. Use restrictions in residential districts. Accessory uses or structures in residential districts shall not involve the conduct of any business, trade or industry except for home occupations as defined and authorized herein and shall not be occupied as a dwelling unit.
- D. Placement restrictions in nonresidential districts. An accessory use or structure in a business or industrial district may be established in the rear yard or side yard and shall have setbacks as prescribed in each zoning district.
[Amended 3-13-2013]
- E. Reversed corner lots. When an accessory structure is located on the rear of a reversed corner lot, it shall not be located beyond the front yard required on the adjacent interior lot to the rear, nor nearer than five feet to the side line of the adjacent structure.
- F. Landscaping and decorative uses. Accessory structures and vegetation used for landscaping and decorating may be placed in any required yard area. Permitted structures and vegetation include flagpoles, ornamental light standards, lawn furniture, sundials, birdbaths, trees, shrubs and flowers and gardens.
- G. Temporary 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, and shall be removed within 30 days of occupancy of the project.
- H. Garages in embankments in front yards. Where the mean natural grade of a front yard is more than eight feet above the curb level, a private garage may be erected within the front yard, following approval by the Village Board, provided that:
- (1) Such private garage shall be located not less than five feet from the front lot line;
 - (2) The floor level of such private garage shall be not more than one foot above the curb level; and
 - (3) At least 1/2 the height of such private garage shall be below the mean grade of the front yard.
- I. Outdoor lighting. Outdoor lighting installations shall not be permitted closer than three feet to an abutting property line and, where not specifically otherwise regulated, shall not exceed 15 feet in height and shall be adequately shielded or hooded so that no excessive glare or illumination is cast upon the adjoining properties.
- J. Lawn accessories. Walks, drives, paved terraces and purely decorative garden accessories such as pools, fountains, statuary, flagpoles, etc., shall be permitted in setback areas but not closer than three feet to an abutting property line other than a street line.
- K.

Retaining walls. Retaining walls may be permitted anywhere on the lot; provided, however, that no individual wall shall exceed six feet in height, and a terrace of at least three feet in width shall be provided between any series of such walls and provided further that along a street frontage, no such wall shall be closer than three feet to the property line.

- L. Offensive uses prohibited. No accessory use shall be dangerous, obnoxious or offensive to persons residing in the vicinity, nor shall impair the use, enjoyment or value of any property.
- M. Prohibited dwelling use. No accessory dwelling unit in any residential district shall be used or let for living purposes for compensation.
- N. Gardening. Home gardening may be an accessory use on any dwelling lot or the principal use on any vacant lot or parcel.