

## ORDINANCE NO. 2013-10

AN ORDINANCE CREATING § 13-3-9B  
R-4 SINGLE FAMILY RESIDENCE DISTRICT

THE TOWN BOARD OF THE TOWN OF WAUKESHA DO ORDAIN AS FOLLOWS:

**SECTION 1:** § 13-3-9B R-4 Single Family Residence District of the CODE OF ORDINANCES OF THE TOWN OF WAUKESHA is hereby amended by the creation of the following text:

**SEC. 13-3-9B R-4 SINGLE FAMILY RESIDENCE DISTRICT**

The purpose of this district is to allow for smaller sized, single family residences, consistent with the surrounding land uses that have been platted within the corporate limits of the City of Waukesha. This district applies to areas within the town that meet the following criteria:

- A legal lot of record that existed prior to October 1, 2013 (rezoning a legal lot of record to this district and subdividing for increased density is prohibited);
- A lot that is located in a “town island” defined as a single lot or contiguous lots where the entire perimeter (excluding rights-of-way) is bordered by the corporate limits of a city; and
- A lot that has a maximum lot size of 20,000 square feet.
- A lot that has an approved Preliminary Site Evaluation (i.e. functioning private septic and well) from Waukesha County Department of Parks & Land Use, Environmental Health Division.

(a) **Use Regulations.**

- (1) Permitted Uses.
  - a. Any use permitted in the R-3 Residence District.
- (2) Conditional Uses. In-Law Unit, Legal Nonconforming Uses, Multi Family Unit, or situations not specifically provided for.

(b) **Building Location.**

- (1) Setback. 25 feet minimum.
  - a. If residences on adjacent lots are setback a distance greater than 25 feet, the minimum setback for the legal lot of record shall be calculated based on the average setback of the two adjacent residences.
- (2) Offset. 10 feet minimum.

(c) **Height Regulations.**

- (1) Principal buildings. 35 feet maximum.
- (2) Accessory buildings. 15 feet maximum.
- (3) See Section 13-2-11 Height Regulations for exceptions and permitted increases.

(d) **Area Regulations.**

- (1) Floor Area.
  - a. Minimum required - principal residence.
    - 1. First Floor. 900 square feet (living space).
    - 2. Total. 1200 square feet (living space). All residences shall have attached two-car garages (minimum of an area at least 400 square feet and maximum of an area not to exceed 1,200 square feet) or 60% of the first floor of the principal structure whichever is greater.
  - b. Maximum F.A.R. permitted. 20 percent.
- (2) Lot Size.
  - a. Minimum area. 12,000 square feet.
  - b. Minimum average width. 80 feet.
- (3) Open Space
  - a. Minimum 60%.

**SECTION 2:** The existing Section 13-3-9 R-3 Single Family Residence District is renumbered as Section 13-3-9A.

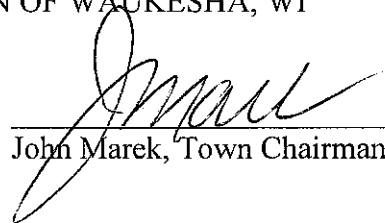
**SECTION 3:** All ordinances or parts of ordinances conflicting with or contravening the provisions of this ordinance are hereby repealed.

**SECTION 4:** This ordinance shall take effect upon passage and posting as provided by law.

Passed and approved this 12<sup>th</sup> day of December, 2013.

TOWN OF WAUKESHA, WI

By:

  
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John Marek, Town Chairman

ATTEST:

  
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Jamie Salentine, Town Clerk-Treasurer