

VILLAGE OF BROOKLYN ORDINANCE CHAPTER 117

AN ORDINANCE TO REPEAL AND RECREATE

**SECTION 117-1010 OF CHAPTER 117 OF THE CODE OF THE VILLAGE OF BROOKLYN
REGARDING ACCESSORY USES AND STRUCTURES**

THE BOARD OF TRUSTEES OF THE VILLAGE OF BROOKLYN DO ORDAIN AS FOLLOWS:

Section 117-1010: Chapter 117, Zoning Code; Article V. Zoning Districts and Land Uses; Division 7. Special Regulations; Section 117-1010 Accessory uses and structures; of the Code of the Village of Brooklyn Code is hereby amended to read as follows:

Sec. 117-1010. - Accessory uses and structures (See also section 117-815(k)).

- (a) Accessory buildings or structures are defined as per 117-34.
- (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.
- (c) *Placement restrictions.* 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 (pursuant to sub i, ii, iii below) and ancillary accessory structures not totaling 250 square feet in lot coverage area may be placed on a lot.
 - i. Houses with no attached or detached garages are allowed a separate detached garage up to a total of 900 square feet, provided the rear yard lot coverage requirement does not exceed 30%. Ancillary accessory structures are allowed in rear and side yards with total combined square foot coverage not to exceed 250 square feet.
 - ii. Houses with a 1- or 2-car attached garage are allowed a separate detached garage, provided the rear yard lot coverage requirement does not exceed 30%, or the total cumulative garage area of 900 square feet. Ancillary accessory structures are allowed in rear and side yards with total combined coverage not to exceed 250 square feet.
 - iii. Houses with a 3-car attached garage are not allowed a separate detached garage on the subject parcel. Ancillary accessory structures shall not exceed 250 square feet or 30% of the required rear yard.
 - iv. Parcels greater than or equal to 0.75 acres in total lot area may be allowed a 3-car garage or less and an additional detached garage not exceeding 600 square feet.
 - (2) *Accessory building height limits.* No detached accessory building or structure shall exceed the following height limits:

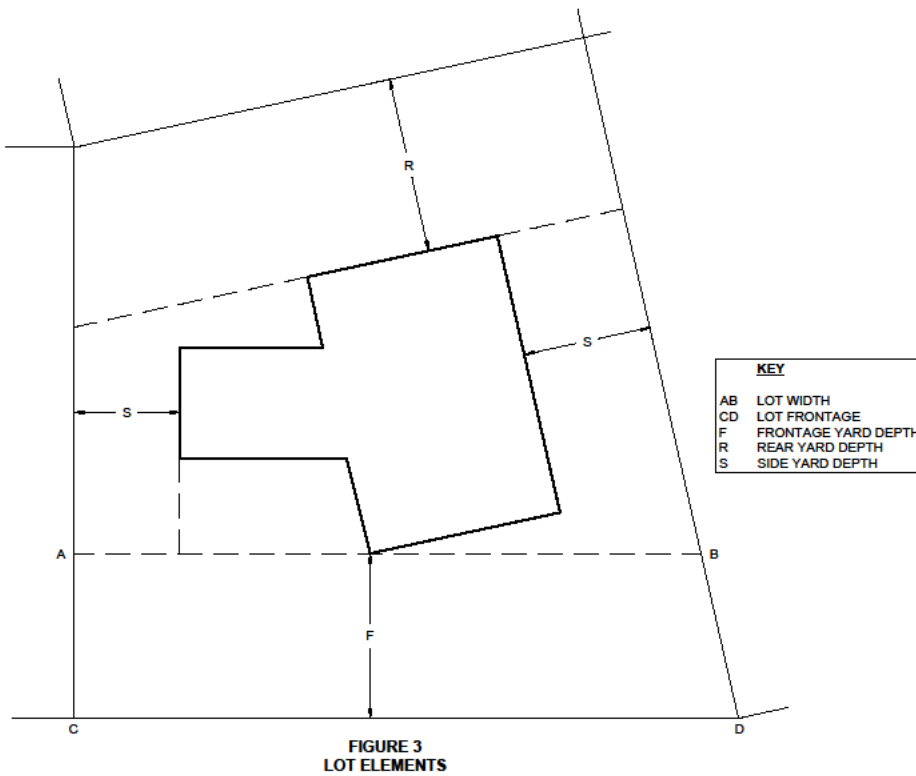
Single Story Accessory Structure	18 feet
Two Story Accessory Structure (Requires CUP)	27 feet
1 ½ Story or similar non-traditional level/height acc. structure (Requires CUP)	22 feet

- (3) *Attached accessory buildings, generally.* All accessory buildings that are attached to the principal building are regulated as part of the principal building.
- (4) *Accessory Buildings, Location.* No accessory building shall occupy any portion of the required front yard (See Figure 3). An accessory building shall not be nearer than ten (10) feet to the principal structure unless the applicable building code regulations are complied with. In no event can accessory uses or structures be forward of the front line of the principal structure. Accessory buildings shall not be located within five (5) feet of any other accessory building or lot line.
- (5) No single accessory building, or total combined accessory structure area, shall exceed 40% of the applicable side/rear yard (see Figure 3) or exceed the total square footage of the principal structure. The dimensions of any swimming pool, ancillary accessory structure, patio, detached garage, and other detached accessory buildings/structures shall be included in the determination of applicable side/rear coverage ratio for accessory structures.
- (7) *Accessory building yard requirements.* Accessory building yard requirements shall be as prescribed for each zoning district.
- (8) *Setbacks from access easements.* The setback from private access easements serving more than one parcel shall be as described in the access easement or shared driveway agreement. If none exists, the accessory building shall not block or be located upon an existing private access easement.
- (9) *Setbacks from easements.* Accessory buildings/structures shall not be located upon underground or overhead easements, and such buildings/structures are recommended to be setback an appropriate distance relative to the purpose of the easement.
- (d) *Use restrictions in 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 defined herein, and shall not be occupied as a dwelling unit.
- (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 sideline of the adjacent structure. (See Figure 4 in section 117-1143.)
- (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, shrub and flowers and gardens. Any vegetation that is desired to be planted shall be planted a minimum of half the declared maturation width from the lot line. Any growth from any planting that grows over the lot line is subject to pruning/removal of that part of the planting

by the property owner to which the encroachment occurs. In no case shall any planting over three feet in height be allowed within the front/corner yard as to infringe on a vision triangle.

- (g) *Temporary uses.* Temporary accessory uses such as real estate sales field offices or shelters for materials and equipment being used in the construction of a permanent structure, may be permitted by the plan commission and shall be removed within 30 days of occupancy of project.
- (h) *Preservation of Topography & Drainage.*
 - (1) No accessory building/structure shall restrict drainage or otherwise alter existing drainage to/from offsite properties. Whenever possible, lot owners shall provide for self-containment of additional runoff generated from accessory buildings/structures (raingardens, biofilters, etc.), so as to not create runoff impacts to adjoining properties.
 - (2) The provisions of Section 117-1059 are hereby incorporated into these regulations.

(Ord. of 12-17-2012, § 48-570)



Adopted by the Board of Trustees of the Village of Brooklyn, Wisconsin, this
12th day of April, 2021.

APPROVED:

Brit Springer, Village President

Ayes: _____

Nays: _____

ATTEST:

Linda Kuhlman, Clerk-Treasurer

AFFIDAVIT OF POSTING

STATE OF WISCONSIN)
 :SS
COUNTY OF GREEN)

I, Linda Kuhlman, Village Clerk/Treasurer for the Village of Brooklyn, County of Dane/Green, State of Wisconsin, do solemnly swear that on April 13, 2021, Chapter 117, Zoning Code; Article V. Zoning Districts and Land Uses; Division 7. Special Regulations; Section 117-1010 Accessory uses and structures; was posted at the following locations and notification of changes published in the Oregon Observer:

1. State Bank of Cross Plains
 210 Commercial Street
 Brooklyn WI 53521

2. U S Post Office
 218 Commercial Street
 Brooklyn WI 53521

3. Village of Brooklyn website
 www.brooklynwi.gov

4. Brooklyn Community Building
 102 N. Rutland Avenue
 Brooklyn, WI 53521

Further affiant saith naught.
Dated this 13th Day of April, 2021

Linda Kuhlman
Village Clerk-Treasurer

SUBSCRIBED AND SWORN to before
me on this 13th day of April, 2021

Notary Public, _____ WI
My Commission expires: