

VILLAGE OF BROOKLYN ORDINANCE CHAPTER 117

AN ORDINANCE TO AMEND

**SECTIONS 117-890 TO 117-895 OF CHAPTER 117 OF THE
ZONING CODE OF THE VILLAGE OF BROOKLYN**

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

Section 117-890 THROUGH 117-895: Chapter 117, Zoning Code; Article V Zoning Districts and Land Use; Division 4 District Uses and Requirements, Section 117-890 R-SL single-family residence low-density district, Section 117-891 R-SM single-family medium density residential district, Section 117-892 R-SH single-family high density residential district, Section 117-893 R-T two-family residential district, and Section 117-894 R-M multiple family residential district, and Section 117-895 B-G Business District, of the Village of Brooklyn Code is hereby amended to read as follows:

DIVISION 4. DISTRICT USES AND REQUIREMENTS

Sec. 117-890. R-SL single-family residence low-density district.

(a) *Purpose.* The R-SL district is intended to provide a quiet, pleasant and relatively spacious living area protected from traffic hazards and the intrusion of incompatible land uses.

(b) *Permitted uses.* The following uses of land are permitted in the R-SL district:

- (1) Single-family dwelling.
- (2) One private detached garage with an existing single-family dwelling meeting the requirements of 117-1010.
- (3) Accessory uses and buildings as follows:
 - a. Accessory building(s) pursuant to 117-1010 incidental to the residential use.
 - b. Off-street parking in accordance with 117-1052.
 - c. Ancillary accessory structures in accordance with 117-1010.
 - d. Signs as permitted by village ordinances.
- (4) Community living arrangements and/or group homes which have a capacity for eight or fewer unrelated persons per household and care is provided by a licensed individual pursuant to Wis. Code DHS 83.05.
- (5) Foster homes with care provided by a person holding the required license pursuant to Wis. Stats. 48.62.
- (6) Home occupations/professions meeting the requirements of Section 117-1011.
- (7) Roof-mounted solar facilities in accordance with 117-1020 (sample provided).

(c) *Conditional uses.* The following are permitted as conditional uses within the R-

SL district:

- (1) Bed and breakfast establishments
 - (2) Licensed community living arrangements and/or group homes which have a capacity for nine or more persons.
 - (3) Utilities.
 - Private or Quasi-Public Utility Facility: Facilities such as power generating plants, electrical power substations, static transformer stations, telephone hubs or exchange stations, cable TV hubs, microwave radio relays, gas regulation stations, fiber optic hubs or exchange stations, cell phone related structures, wireless communications structures and wind power generation facilities. Storage yards and parking areas for utility facilities are specifically excluded from this definition.
 - Public Utility Facilities as defined in 117-4 are exempt.
 - Utility Structure: A building or structure that is non-commercial in nature and has an infrastructure-based purpose to provide or continue transmission of utilities to serve the general Village population.
 - (4) Institutional and quasi-public facilities such as churches places of worship, schools, parks, playgrounds, and recreational facilities
 - (5) Child care centers
 - (6) Privately-owned community or market garden
 - (7) Keeping of chickens (may need a more-defined standard)
 - (8) Portable storage units
 - (9) Ground and wall mounted solar energy systems greater than 100 sf in size
 - (10) Wind energy system
 - (11) Yard sales
- (d) *Lot, yard and building requirements.*

Lot frontageMinimum 90 feet
Lot areaMinimum 12,150 square feet

Principal building:

Front yardMinimum 30 feet*
Side yardsMinimum 12 feet*
Rear yardMinimum 30 feet*
Corner side yardMinimum 20 feet
Building heightMaximum 35 feet

Accessory building:

Side yards: Must comply with any existing easements or five feet,
whichever is greater*

Rear yard: Must comply with any existing easements or five feet,
whichever is greater*

AlleyMinimum 15 feet*

Standard Accessory Structure Building height Maximum 18 feet**

Dwelling total livable floor area:

Single storyMinimum 1,200 square feet

Two-storyMinimum 1,700 square feet

*Minimum side and/or rear yard requirement for a lot immediately adjacent to a
different zoning district shall be the greater of the two district requirements.

**See 117-1010 for alternative accessory structure height limitations.

(Ord. of 12-17-2012, § 48-530)

Sec. 117-891. R-SM single-family medium-density residential district.

(a) *Purpose.* This district is intended to provide for moderate to medium density residential development with emphasis on single-family residential uses. This district is also intended to provide for alternative development types and for infilling opportunities for parcels which for various reasons have been bypassed by development. Nonresidential uses are limited to those which are compatible with the medium density character of the district.

(b) *Permitted uses.*

(1) Same as the R-SL district.

(c) *Conditional uses.*

(1) Same as the R-SL district.

(2) Conversion of single-family dwellings to two-family or multifamily dwellings, with a minimum of 800 square feet per dwelling unit, no exterior changes and a restrictive covenant requiring one unit to be owner occupied.

(d) *Lot, yard and building requirement.*

Lot frontageMinimum 80 feet

Lot area Minimum 9,600 square feet

Principal building:

Front yardMinimum 30 feet*

Side yardsMinimum 10 feet*

Rear yardMinimum 25 feet*

Corner side yardMinimum 20 feet*

- Building heightMaximum 35 feet
 - Accessory building:
 - Front yardMinimum 30 feet*
 - Side yards: Must comply with any existing easements or five feet, whichever is greater*
 - Rear yard: Must comply with any existing easements or five feet, whichever is greater*
 - AlleyMinimum 15 feet*
 - Standard Accessory Structure Building heightMaximum 18 feet**
 - Dwelling total livable floor area:
 - Single storyMinimum 1,100 square feet
 - Two-storyMinimum 1,600 square feet
- *Minimum side and/or rear yard requirement for a lot immediately adjacent to a different zoning district shall be the greater of the two district requirements.
- **See 117-1010 for alternative accessory structure height limitations.

(Ord. of 12-17-2012, § 48-531)

Sec. 117-892. R-SH single-family high-density residential district.

(a) *Purpose.* The R-SH district is intended to accommodate those residential uses and lot sizes typical of the older residential neighborhoods within the village. Narrower lots and reduced setbacks are characteristic of this district.

(b) *Permitted use.*

(1) Same as the R-SL district.

(c) *Conditional uses.*

(1) Same as the R-SM district.

(d) *Lot, yard and building requirements.*

Lot frontageMinimum 70 feet

Lot areaMinimum 8,400 square feet

Principal building:

Front yardMinimum 20 feet*

Side yardsMinimum 8 feet*

Rear yardMinimum 20 feet*

Corner side yardMinimum 20 feet*

Maximum setback35 feet*

Building heightMaximum 35 feet

Accessory building:

- Front yardMinimum 25 feet*
 - Side yards: Must comply with any existing easements or five feet,
whichever is greater*
 - Rear yard: Must comply with any existing easements or five feet,
whichever is greater*
 - AlleyMinimum 15 feet*
 - Standard Accessory Structure Building heightMaximum 18 feet**
 - Dwelling total livable floor area:
 - Single storyMinimum 1,000 square feet
 - Two-storyMinimum 1,500 square feet
- *Minimum side and/or rear yard requirement for a lot immediately adjacent to a different zoning district shall be the greater of the two district requirements.
- **See 117-1010 for alternative accessory structure height limitations.

(Ord. of 12-17-2012, § 48-532)

Sec. 117-893. R-T two-family residential district.

(a) *Purpose.* The R-T district is intended to provide a quiet, pleasant and relatively spacious living area protected from traffic hazards and the intrusion of incompatible land uses.

(b) *Permitted uses.*

- (1) Two-family dwellings, including zero lot line structures.
- (2) Permitted uses as identified in R-SL District

(c) *Conditional uses.* The following are permitted as conditional uses within the R-T district:

- (1) Conditional uses as identified in the R-SL District.

(d) *Lot, yard and building requirements.*

- Lot frontageMinimum 90 feet
- Zero lot line structureMinimum 45 feet
- Lot areaMinimum 10,800 square feet
- Zero lot line structureMinimum 5,400 square feet

Principal building:

- Front yardMinimum 30 feet*
- Side yardsMinimum 12 feet*
- Zero lot line structure: No side yard for adjoining walls and ten feet for

other side yard*

Rear yardMinimum 25 feet*

Corner side yardMinimum 20 feet*

Building heightMaximum 35 feet

Accessory building:

Front yardMinimum 30 feet*

Side yards: Must comply with any existing easements or five feet,
whichever is greater*

Rear yard: Must comply with any existing easements or five feet,
whichever is greater*

AlleyMinimum 15 feet*

Standard Accessory Structure Building heightMaximum 18 feet**

Dwelling total livable floor area:

Single storyMinimum 800 square feet per dwelling

Two-storyMinimum 1,200 square feet per dwelling

*Minimum side and/or rear yard requirement for a lot immediately adjacent to a
different zoning district shall be the greater of the two district requirements.

**See 117-1010 for alternative accessory structure height limitations.

(Ord. of 12-17-2012, § 48-533)

Sec. 117-894. R-M multiple-family residential district.

(a) *Purpose.* The R-M district is intended to provide a living area that is pleasant but not so spacious as the R-S and R-T districts, in order to accommodate multiple-family residences.

(b) *Permitted uses.* The following uses of land are permitted in this district:

(1) Multiple-family residential buildings for up to four units.

(2) Rooming houses and boardinghouses for up to four guests.

(3) Charitable institutions, rest homes, convalescent homes, nursing homes, for the care of children, homes for the care of the aged, homes for the care of the indigent, and similar institutions (CDRF).

(4) Accessory uses and buildings as follows:

a. Accessory building not to exceed 200 square feet.

b. Parking stalls incident to the above uses. See Ordinance Sec. 117-1052(a)(5),

(5) Home occupation/profession. (See section 117-1011.)

(c) *Conditional uses.* The following are permitted as conditional uses within the R-M district:

- (1) Single-family and two-family dwellings.
- (2) Churches or places of worship and their affiliated uses, grade schools and libraries.
- (3) Accessory buildings up to 10% of total square footage of primary structure
- (4) Anything over four units.

(d) *Lot, yard and building requirement.*

Lot frontageMinimum 90 feet
 Lot area Minimum 10,800 square feet

Principal building:

Front yardMinimum 30 feet/Maximum 35 feet*
 Side yardsMinimum 15 feet*
 Rear yardMinimum 10 feet*
 Corner side yardMinimum 20 feet*
 Building heightMaximum 35 feet*

Accessory building:

Front yardsMinimum 30 feet*
 Side yardsMinimum 10 feet*
 Rear yardMinimum 10 feet*

Garage incidental to multifamily residences:

Front yardsMinimum 30 feet*
 Side yardsMinimum 10 feet*
 Rear yardMinimum 10 feet*

AlleyMinimum 15 feet

Standard Accessory Structure Building heightMaximum 18 feet**

Dwelling total livable floor area:

Efficiency and one bedroom ... Minimum 600 square feet per dwelling
 Two bedroom or largerMinimum 700 square feet per dwelling

*Minimum side and/or rear yard requirement for a lot immediately adjacent to a different zoning district shall be the greater of the two district requirements.

**See 117-1010 for alternative accessory structure height limitations.

(e) *Other requirements.*

- (1) The floor area ratio, defined as the maximum square footage of total floor area permitted for each square foot of land area, is not more than 0.500.

(Ord. of 12-17-2012, § 48-534)

Sec. 117-895. - B-G general business district.

- (a) *Purpose.* The B-G district is intended to provide an area for the business and commercial needs of the community, especially those which can be most suitably located in a compact and centrally located business district.
- (b) *Permitted uses.* The following uses of land are permitted in the B-G district:
- (1) *On-site retail and outlet stores.*
 - a. Paint, glass and wallpaper stores.
 - b. Hardware stores.
 - c. Department stores, variety stores, general merchandise stores.
 - d. Clothing and shoe stores.
 - e. Furniture, home furnishings, and floor covering stores.
 - f. Drug stores and pharmacies.
 - g. Antique stores and secondhand stores.
 - h. Sporting goods stores and bicycle shops.
 - i. Bookstores, not including adult books.
 - j. Stationery stores.
 - k. Jewelry and clock stores.
 - l. Watch, clock and jewelry repair services.
 - m. Camera and photographic supply stores.
 - n. Gift, novelty and souvenir shops.
 - o. Florist shops.
 - p. Tobacco and smokers' supplies stores.
 - q. Miscellaneous retail stores.
 - r. Wholesale merchandise establishments only for retail and outlet items listed above.
 - s. Indoor storage of material, equipment or products incidental to a retail establishment.
 - (2) *Food, beverages and health related.*
 - a. General grocery stores, supermarkets, fruit and vegetable stores, meat and fish stores, and discount food stores.
 - b. Candy, nut or confectionery stores.
 - c. Dairy products stores, including ice cream stores.
 - d. Retail bakeries, including those which produce some or all of the products sold on the premises, but not including establishments which manufacture bakery

products primarily for sale through outlets located elsewhere or through home service delivery.

- e. Liquor stores.
- f. Catering services.
- g. Pharmacies.
- h. Indoor sports/fitness facilities including sports/fitness training facilities.
- i. Health or veterinary clinics.
- k. Dance studios/training facilities.

(3) *Restaurants and taverns.*

- 1. Restaurants, lunchrooms and other eating places, except drive-in type establishments.
- 2. Taverns, bars, and other drinking places with required license.

(4) *Professional services.*

- a. Offices of insurance companies, agents, brokers and service representatives.
- b. Offices of real estate agents, brokers, managers and title companies.
- c. Advertising agencies, consumer credit reporting, news agencies employment agencies.
- d. Offices of physicians and surgeons, dentists and dental surgeons, osteopathic physicians, optometrists and chiropractors, but not veterinarian's offices. This includes clinics for listed health related services.
- e. Professional, scientific, or educational firms, agencies, offices, or services, but not research laboratories or manufacturing operations.
- f. Law offices.
- g. Engineering and architectural firms or consultants.
- h. Accounting, auditing, and bookkeeping firms or services.
- i. Funeral services.
- j. The sale, service, repair, testing, demonstration or other use of indoor electrical equipment such as radios, televisions, sound equipment, related accessories, and musical instruments.

(5) *Customer, news and entertainment services.*

- a. Banks and other financial institutions.
- b. Retail laundry and dry cleaning outlets, including coin-operated laundries and dry cleaning establishments, commonly called laundromats and launderettes. Tailor shops, dressmakers' shops, and garment repair shops.
- c. Photographic studios and commercial photography establishments.
- d. Barbershops, beauty shops, and hairdressers.
- e. Shoe repair shops and shoe shine parlors.

- f. Computer services.
 - g. Motion picture theaters, not including drive-in theaters.
 - h. Duplicating, blueprinting, photocopying, addressing, mailing, mailing list, and stenographic services. Excludes the publishing and printing of newspapers, periodicals or books.
- (6) *Transportation.*
- a. Parking lots and/or commercial parking for existing or proposed business uses permitted in the district (See 117-1052 Parking).
 - b. Public transportation passenger stations, taxicab company offices, taxicab stands, but not vehicle storage lots or garages.
 - c. Bus and rail transit terminals.
- (7) *Government and utility.*
- a. The offices, meeting places, and premises of professional membership associations; civic, social, and fraternal associations; business associations, labor unions and similar labor organizations; political organizations; religious organizations; charitable organizations; or other nonprofit membership organizations.
 - b. The offices of governmental agencies and post offices.
 - c. Public, quasi-public services and utilities.
 - d. Telephone offices (excludes wireless communications and towers)
- (8) *Lodging.*
- a. Hotels, motels and bed and breakfast establishments.
 - b. Roominghouses and boardinghouses.
 - c. Community living arrangements.
 - d. Existing dwelling units (on upper floor levels)
- (c) *Conditional uses.* The following are permitted as conditional uses in the B-G district; provided that no nuisance shall be afforded to the public through noise, the discharge of exhaust gases from motor-driven equipment, unpleasant odors, smoke, steam, harmful vapors, obnoxious materials, unsightly conditions, obstruction of passage on the public street or sidewalk, or other conditions generally regarded as nuisances; and provided that where operations necessary or incident to the proper performance of these services or occupations would tend to afford such nuisances, areas, facilities, barriers, or other devices shall be provided in such a manner that the public is effectively protected from any and all such nuisances. These uses shall be subject to the consideration of the plan commission and the village board with regard to such matters:
- (1) The sale, service, repair, testing, demonstration or other use of piston-type engines or motors, or any type of device, vehicle, appliance or equipment operated by such engines or motors. This includes sales and/or service of the following:
 - a. Small engines

- b. ATV or UTV's
- c. Car/truck/vans
- d. Electric vehicles excluding e-bikes
- e. Motorcycles & trikes
- f. Recreational vehicle, motor home, travel trailers

All outdoor storage of any kind, including the number of unenclosed vehicles awaiting sale or repair, shall be established by the plan commission. Enclosed vehicles shall be stored within a building whenever possible. All exterior storage not for sales/display to the public shall be required to meet strict screening requirements including a complete vision-barrier fence a minimum of six feet in height. Alternatives may be approved by the Plan Commission. The standards included within 117-1051 through 117-1058 are hereby incorporated as standards for conditional uses in this district. Maintenance of all screening mechanisms shall be included in the condition of approval.

- (4) Establishments engaged in the sale, servicing, repairing, testing, demonstration, or other use of electrical household appliances, such as washing machines, vacuum cleaners, dishwashers, irons, toasters, or similar household appliances. Establishments engaged in the sale, servicing, repairing, testing, demonstration, or other use of household electrical refrigerators, freezers, air conditioners, other self-contained refrigeration units, or other similar appliances or equipment; provided further, specifically, that areas and facilities for operating, repairing, loading, unloading and storage of such appliances or equipment shall be provided in a manner which affords no nuisance or obstruction, or of the discharge of unpleasant or harmful vapors or liquids, or of unsightly conditions to the public.
- (5) Contractor or construction offices and shops and display rooms, such as building, cement, electrical, heating, ventilating and air conditioning, masonry, painting, plumbing, refrigeration and roofing, solar, provided that all parking (other than automobiles), loading, display of merchandise and parking or storage of equipment and supplies shall be conducted within completely enclosed buildings. Outdoor display for product/service identification shall be specifically included in conditions of approval.
- (6) Repair shops and related services not specifically listed as permitted uses.
- (7) Garment handling/service establishments.
- (8) Establishments engaged in the publishing and printing of newspapers, periodicals or books.
- (9) Dwelling units, provided that no dwelling shall be permitted below the second floor and business uses are not permitted on any floor above the ground floor, except in those buildings or structures where dwelling units are not established.
- (10) Day care centers.
- (11) Gasoline service stations.
- (12) Mobile home dealers.

- (13) Warehousing or distribution operations, not including predominantly retail sales to customers on site.
 - (14) Wireless communication systems.
 - (15) Brewery, distillery and winery.
 - (16) Skilled trade services.
 - (17) Landscaping and lawn care.
 - (18) Vehicle towing services
 - (19) Exterior sports related facilities where sales of merchandise or sales of tickets are sold.
 - (20) Pet grooming services
 - (21) Off-site parking for bonified business uses meeting the requirements of 117-1052.
- (d) *Lot, yard and building requirements.* The maximum height, side, front and rear yards, minimum lot width and parking for new or converted buildings shall correspond with typical existing development layout of the district provided the plan commission determines such development is in keeping with the purposes, design and character of the general business district and is architecturally compatible with the area.
- (e) No automobile parking lot, waste or salvage pile, equipment storage or other accumulation of materials or equipment classified as exterior on a zoning lot shall be stored or placed within any setback area.

(Ord. of 12-17-2012, § 48-535)

Adopted by the Board of Trustees of the Village of Brooklyn, Wisconsin, this
11th day of April, 2022.

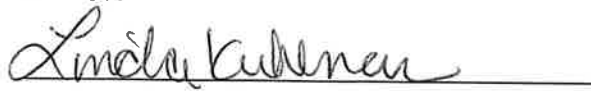
APPROVED:



Mark Bruner, Village President

Ayes: 6
Nays: 0

ATTEST:



Linda Kuhlman, Clerk-Treasurer

Vicki Olson
Notary Public *Green County* WI
My Commission expires: *09-01-2024*