

ORDINANCE

AN ORDINANCE to amend Municipal Code Sections 10-1-15G(4)(b) "Height and area exceptions" to modify the use of garages in front yards and street side yards.

The Council of the City of Two Rivers ordains as follows:

SECTION 1. That Section 10-1-15G(4)(b) of the Municipal Code shall hereby be amended as follows:

(b) In front yards and street side yards:

[1] Open fire escapes, open porches, decks, patios or terraces, including those with roofs but not walls, extending not more than six feet into a required front yard or street side yard, provided that these projections do not encroach in any vision clearance triangle.

[2] Overhanging eaves and gutters projecting three feet or less into the yard.

[3] Open off-street vehicle parking spaces when approved by the plan commission in business, industrial, institutional and multifamily residence districts.

[4] Open off-street vehicle parking on a paved or graveled driveway, provided no vehicle may be parked within five feet of a front property line or within three feet of a side lot line. The maximum width of driveways on private property shall not exceed 35 percent of the lot width or 35 feet, whichever is less. However, any lot may have a driveway up to 20 feet in width.

[5] Garges in embankments. Where the mean natural grade of a front or street side yard is more than eight feet above the curb level, a private garage may be erected within said yard, provided as follows:

[a] That such private garage shall be located not less than five feet from the street lot line;

[b] That the floor level of such private garage shall be not more than one foot above the curb level; and

[c] That at least one-half the height of such private garage shall be below the mean grade of the yard.

[6] Produce gardening in front yards existing prior to August 1, 2016. Such front yard produce gardens may not be expanded. New front yard produce gardens are prohibited, except as may be authorized by resolution of city council as part of a pilot program that may be put in effect in 2023 and shall expire not later than December 31, 2023. Participation by a property in said pilot program shall not create any vested right to continue such new gardens beyond December 31, 2023.

[7] Produce gardening is permitted in street side yards. Such gardens shall not encroach into the minimum required street side yard.

[8] Garages in front yards.

[a] In the aggregate shall not occupy more than 30 percent of any required rear yard and not more than 50 percent of non-required rear yard areas;

[b] Shall be located on a lot being not less than 5 acres in size;

[c] The primary structure on the lot shall be located at least 500 feet from the street;

[d] Garages shall reflect the same minimum setbacks allowed for a principal structure on the lot.

[e] Shall be located no closer than three feet from any part of any other building, or structure, except swimming pools as described in subsection H.

[f] Shall comply with all applicable municipal and state code provisions.

[9] Garages in street side yards.

[a] Shall be no closer than the required front yard setback;

[b] Street side yard setback shall be 25 feet from the lot line;

[c] In the aggregate, shall not occupy more than 30 percent of any required street side yard nor more than 50 percent of non-required rear yard areas.

[d] Shall be located no closer than three feet from any part of any other building, or structure, except swimming pools as described in subsection H.

[e] Shall comply with all applicable municipal and state code provisions.

[f] Permitted only where there is a previously existing driveway.

and to renumber subsequent sections as appropriate.

SECTION 3. This ordinance shall take effect and be in force from and after its date of passage and publication of same.

Dated this 15th day of April, 2024.

Adam Wachoswki
President, City Council

Gregory E. Buckley
City Manager

Attest:

Amanda Baryenbruch
City Clerk

Approved as to form and legality:

John M. Bruce
City Attorney