

ORDINANCE No. 510

AN ORDINANCE AMENDING CITY ZONING ORDINANCE #148:
COMPREHENSIVE ZONING ORDINANCE, AND ESTABLISHING A NEW
ZONING DISTRICT.

The Common Council of the City of Hayward does ordain as follows:
SECTION 3.1 is hereby amended to include R-2, Residential District 2, as follows:

R-2, Residential District 2,

SECTION 3.3 Residential-2; this district is intended to provide for development of zero lot line twin home development at densities not exceeding 6.0 dwelling units per net acre. Ownership of each unit will be on separate deeds. Compliance with State of Wisconsin one (1) and two (2) family Uniform Dwelling Code for attached units is required. It is restricted to the following uses:

- a. Permitted Uses:
 - (1) Twin homes with one (1) attached or detached garage per dwelling unit.
 - (2) Foster homes and community living arrangements as set forth in Wisconsin Statutes.

- b. Uses Authorized by Conditional Use Permit.
Conditional uses are not allowed in this district.

Section 3.3 is hereby amended as follows: R-2:

Building Height	35 feet
Lot Area-Minimum	12,000 square feet per twin lot with not less than 6,000 square feet per single lot.
Minimum Lot Width	100 feet per twin lot with not less than 50 feet per single lot.
Yard Required:	Front Yard, 30 feet;
Dwelling Unit	Side Yard, not on common twin lot line, 10 feet
Dwelling Unit	Side Yard, common to twin lot line, 0 feet
Dwelling Unit	Rear Yard, 20 feet
Accessory Building	Side Yard, 5 feet
Accessory Building	Rear Yard, 5 feet
Floor Area, Residence Square Feet, Minimum	450 square feet per dwelling unit on one level
Parking-Off Street	There shall be a minimum of two off street parking spaces for each twin home dwelling unit, one of which must be within an enclosed garage.

Section 4.2(6) is hereby amended as follows:

- (b) Residential-2 permitted accessory uses. One building, other than a garage, not exceeding 150 square feet shall be permitted for each twin home dwelling unit.

Section 4.3 Supplementary Regulations.

- (2) (b) Residential-1 uses shall be provided with at least one (1) parking space for each dwelling unit. Residential-2 shall have a minimum of two off street

parking spaces for each twin home dwelling unit, one of which must be within an enclosed garage.

Section 4.3 Supplementary Regulations.

(6) Additional requirements for Residential-2 districts.

- A. A joint or attached driveway serving attached two home dwelling is permitted provided covenants addressing the maintenance of such driveway are in a form approved by the City Zoning Administrator.
- B. Placement of driveways that are not shared with the adjoining attached two home dwelling shall be allowed as approved by the City Zoning Administrator.
- C. A minimum fire separation complying with Comm. 21.08 Wis. Admin. Code, providing a vertical separation of all areas from the lowest level to flush against the underside of the roof is required between each dwelling unit.
- D. The plans specifications and construction shall require the installation and construction of separate sewer, water and other utility services to each twin home dwelling
- E. Both living units of the twin home dwelling shall remain unoccupied until completion of construction of the entire twin home dwelling.
- F. A maintenance agreement (party wall agreement), approved by the City Zoning Administrator, shall be entered into by the owners of the attached twin home dwelling in order to ensure that equal and reasonable maintenance and repairs are performed on the attached twin home dwelling. Alternatively, provisions for maintenance of common walls may be incorporated into applicable covenants to be reviewed and approved by the City Zoning Administrator.
- G. Easements necessary for water, sewer and utility services and the maintenance agreement, shall be recorded with the Sawyer County Register of Deeds.
- H. The exterior and roof materials on each attached twin home dwelling shall be of the same color, quality and consistency.
- I. A statement shall be placed on the face of all twin home plats creating twin home dwelling lot stating, AWhen two attached, single family dwelling units are created, matters of mutual concern to the adjacent property owners, due to construction, catastrophe, and/or maintenance, shall be guarded against by private covenants and deed restrictions and the City of Hayward shall not be responsible for the same.@ Ord. No. 510.

This Ordinance shall become effective upon its passage and publication by law.

Motion by: Ald. Munich

Seconded by Ald. Parker

Ayes (7) Nays (0)

Adopted this 16th day of January, 2012

*William L. Swinkowski, Mayor

*Lucy Gunther, City Clerk-Treasurer

Published: February 8, 2012