



**GRAFTON**  
QUALITY LIFE. NATURALLY.

**Town of Grafton Ordinance No. 2017-03**

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 1, ZONING,  
SECTION 3, ZONING DISTRICTS – LAND USE REGULATION,  
OF THE CODE OF ORDINANCES, TOWN OF GRAFTON, WISCONSIN,  
ADDRESSING MINIMUM FLOOR AREA REQUIREMENTS IN THE  
R-1 RESIDENTIAL DISTRICT, THE R-2 RESIDENTIAL DISTRICT,  
AND THE R-3 RESIDENTIAL DISTRICT, ALONG WITH THE INTRODUCTION OF  
A NEW DISTRICT – THE R-TR TRANSITIONAL RESIDENTIAL DISTRICT**

**WHEREAS**, it is deemed to be in the best interest of the Town of Grafton that the Municipal Code of the Town of Grafton be further modified and amended in the manner hereinafter more particularly set forth; and

**WHEREAS**, a Notice of Public Hearing before the Town Board was duly published in the *Ozaukee Press* on 4.20.17, ~~2017~~, and 4.27.17, ~~2017~~; and

**WHEREAS**, a Public Hearing was held before the Town Board on April 12, 2017, regarding the proposed Amendments to the Town's Code of Ordinances; and

**WHEREAS**, based on the above, it is deemed to be in the best interest of the Town of Grafton that the Municipal Code of the Town of Grafton be further modified and amended in the manner hereinafter more particularly set forth below.

**NOW, THEREFORE**, the Town Board of the Town of Grafton does hereby ordain as follows:

**Section 1:**

Section 9.1.3 of the Town of Grafton Code of Ordinances is amended as provided below by adding the underlined language, deleting the language struck out, and renumbering the remaining sections:

**9.1.3.05**

**R-1 Residential District**

The R-1 Residential District is intended to provide for lake shore single-family development, at densities not to exceed one (1) dwelling unit per five (5) acres. The primary residence must have a minimum two-car attached or detached garage prior to issuance of an occupancy permit.

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(E) Building Height and Area.

- (1) No primary building or parts of a primary building shall exceed 42 feet in height.
- (2) The total minimum floor area of a two-story dwelling shall be 3,000 square feet with a minimum first floor area of ~~1,800~~1,500 square feet. The total minimum floor area for a single-story dwelling shall be 2,500 square feet.

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**9.1.3.06**

**R-2 Residential District**

The R-2 Residential District is intended to provide for single-family development, at densities not to exceed one dwelling unit per three (3) acres. Areas placed in this district by means of rezoning should not be less than 10 acres. The primary residence must have a minimum two-car attached or detached garage prior to the issuance of an occupancy permit.

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(E) Building Height and Area.

- (1) No primary building or parts of a primary building shall exceed 42 feet in height.
- (2) The total minimum floor area of a two-story dwelling shall be ~~1,250~~2,000 square feet with a minimum first floor area of ~~1,000~~1,250 square feet. The total minimum floor area for a single-story dwelling shall be 1,750 square feet.

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**9.1.3.07**

**R-3 Residential District**

The R-3 Residential District is intended to provide for single-family development, at densities not to exceed one (1) dwelling unit per acre (43,560 square feet). Primary residence must have a minimum two-car attached or detached garage prior to issuance of an occupancy permit.

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(E) Building Height and Area.

- (1) No primary building or parts of a primary building shall exceed 42 feet in height.
- (2) The total minimum floor area of a two-story dwelling shall be ~~1,250~~1,650 square feet with a minimum first floor area

of 1,000 square feet. The total minimum floor area for a single-story dwelling shall be 1,250 square feet.

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**9.1.3.09**

**R-Tr Transitional Residential District**

The R-Tr Transitional Residential District is intended to provide for single-family development at densities not to exceed one (1) dwelling unit per two (2) acres. Primary residence must have a minimum two-car attached or detached garage prior to issuance of an occupancy permit. This zoning district shall only be available to the area east of I-43 that borders or is in close proximity to incorporated areas.

(A) Permitted Uses.

- (1) Single-family dwellings.
- (2) Essential services.

(B) Permitted Accessory Uses.

- (1) Private garages and carports.
- (2) Gardening, tool and storage sheds, not exceeding 200 square feet in area, incidental to the residential use.
- (3) Home occupations as specified in Secs. 9.1.12.02(HH) and 9.1.12.02(UU).
- (4) Private residential outdoor recreation facilities, such as basketball courts or tennis courts.
- (5) Private boathouses not exceeding 35 feet in height and 800 square feet in area, provided no living quarters are included in such boathouse.
- (6) Buildings or structures not exceeding 20 feet in height and 576 square feet in area; used to house a workshop or similar hobby or activity of the property owner or a member of the property owner's immediate family, such as woodworking, metal working, painting, sculpture or similar activity; and provided no living quarters are included in the structure or building, and the products of the activity are not offered for sale.
- (7) The Town of Grafton Plan Commission shall approve all accessory structures in the R-3 Residential District that are between 150 square feet in area and 576 square feet in area. Accessory structures above 576 square feet in area shall require a Conditional Use Permit. (See Sec. 9.1.4, TGO)

(C) Conditional Uses. (See Sec. 9.1.4, TGO)

(D) Lot Area and Width.

Lots shall have a minimum area of two (2) acres, and new lots created by a Certified Survey Map (CSM) shall have a minimum area of two (2) acres. New lots created by a Town Plat / State Subdivision Plat may have a minimum area of one (1) acre, but the overall density of the development shall be a minimum of two (2)

acres. Lots shall not be less than 130 feet in width at the building setback line. Corner lots shall provide a minimum lot width of not less than 140 feet at the building setback line.

(E) Building Height and Area.

(1) No primary building or parts of a primary building shall exceed 42 feet in height.

(2) The total minimum floor area of a two-story dwelling shall be 2,000 square feet with a minimum first floor area of 1,250 square feet. The total minimum floor area for a single-story dwelling shall be 1,750 square feet.

(F) Yards.

(1) A minimum street yard (setback) of 50 feet from the highway or road right-of-way shall be required.

(2) A minimum shore yard of 75 feet from the high-water elevation of any navigable water shall be required.

(3) There shall be a side yard on each side of all structures of not less than 20 feet.

(4) There shall be a rear yard of not less than 25 feet.

**9.1.3.0910 B-1 Business District**

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**9.1.3.1011 B-2 Business District**

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**9.1.3.1112 M-1 Light Manufacturing and Warehousing District**

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**9.1.3.1213 M-2 Light Manufacturing and Warehousing District**

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**9.1.3.1314 C-1 Conservancy Overlay District**

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**9.1.3.1415 C-2 Conservation District**

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**9.1.3.1516 P-1 Park and Recreation District**

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**9.1.3.1617 RCDO – Residential Conservation Development Overlay District**

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**9.1.3.1718 PW Port Washington Road District**

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**9.1.3.1819 PWB-1 Port Washington Business District**

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**9.1.3.1920 BP-1 Business Park District**

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**9.1.3.2021 BP-2 Business Park District**

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**9.1.3.2122 BP-3 Business Park District**

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**9.1.3.2223 PUD – Planned Unit Development Overlay District**

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**9.1.3.2324 O-1 Office District**


**Section 2:**

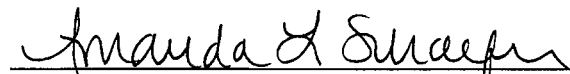
Except as hereinabove specifically modified and amended, the Code of Ordinances, Town of Grafton, Wisconsin, shall remain in full force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.

**Section 3:**

This Ordinance shall take effect and be in full force from and after its passage and publication or posting.

Adopted by the Town Board of the Town of Grafton, Ozaukee County, Wisconsin, at its regularly scheduled meeting on this 10<sup>th</sup> day of May, 2017.

  
Lester A. Bartel, Jr., Town Chairman

  
Amanda L. Schaefer, Town Clerk

Publication Date: May 18, 2017  
~~Posting Date: \_\_\_\_\_, 2017~~ → N/A

