



**Town of Grafton Ordinance No. 2019-07**

**AN ORDINANCE AMENDING TITLE 9, CHAPTER 1, ZONING,  
OF THE CODE OF ORDINANCES, TOWN OF GRAFTON, WISCONSIN,  
ELIMINATING THE CONDITIONAL USE REQUIREMENT FOR ACCESSORY  
BUILDINGS OR STRUCTURES LARGER THAN 576 SQUARE FEET IN AREA**

**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 November 21, 2019, and November 28, 2019; and

**WHEREAS**, a Public Hearing was held before the Town Board on December 11, 2019, 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 hereby amended as provided below by adding the underlined language and deleting the language struck out:

**9.1.3 Zoning Districts.**

....

**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.

....

(B) Permitted Accessory Uses.

....

- (7) The Town of Grafton Plan Commission shall approve all accessory structures in the R-1 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 Plan Commission approval.

....

**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.

....

(B) Permitted Accessory Uses.

....

- (7) The Town of Grafton Plan Commission shall approve all accessory structures in the R-2 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 Plan Commission approval.

....

**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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(B) Permitted Accessory Uses.

- ....
- (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 Plan Commission approval.

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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.

....

(B) Permitted Accessory Uses.

- ....
- (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 Plan Commission approval.

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**Section 2:**

Section 9.1.12.02(II) of the Town of Grafton Code of Ordinances is hereby amended as provided below by adding the underlined language and deleting the language struck out:

**9.1.12 Definitions.**

....

**9.1.12.02 Specific Words And Phrases**

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- (II) Landscaping Businesses
  - (1) LEVEL 1A – Basic Landscaping Management, Maintenance and Snow Removal.

....

- (e) One Accessory Structure allowed to store equipment and/or use as an office. If larger than 576 sq. ft., Plan Commission approval for structure is needed also.

....

- (2) LEVEL 1 – Basic Landscaping Management, Maintenance and Snow Removal.  
 ....  
 (e) One Accessory Structure allowed to store equipment and/or use as an office. If larger than 576 sq. ft., Plan Commission approval for structure is needed also.  
 ....
  - (3) LEVEL 2 – Landscaping Design, Management, Maintenance and Snow Removal.  
 ....  
 (f) One Accessory Structure allowed to store equipment and/or use as an office. If larger than 576 sq ft., Plan Commission approval for structure is needed also.  
 ....
  - (4) LEVEL 3 – Excavation, Grading, Backfilling, Landscaping Design, Management, Maintenance and Snow Removal.  
 ....  
 (g) Accessory Structures allowed to store equipment and/or use as an office. If larger than 576 sq. ft., Plan Commission approval for structure is needed also.  
 ....
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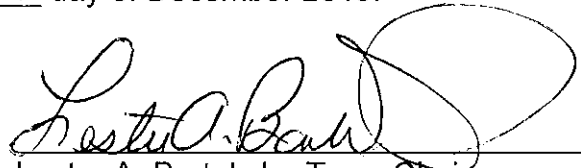
**Section 3:**

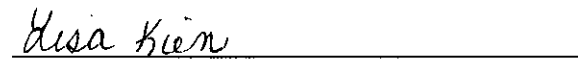
Except as hereinabove specifically modified and amended, the Code of Ordinances, Town of Grafton, Wisconsin, shall remain in full force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this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

**Section 4:**

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 11<sup>th</sup> day of December 2019.

  
Lester A. Bartel, Jr., Town Chairman

  
Lisa Kien, Town Clerk

Publication Date: 12/19, 2019  
Posting Date: 12/19, 2019