(c) Shall not exceed 25 feet in height.

§ 340-22. 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 net acre, served by on-site soil absorption sanitary sewerage systems or other appropriate means and private wells. Areas placed in this district by means of rezoning should be adjacent to an R-2 District or not be less than 20 acres.

A. Permitted uses.

(1) Single-family dwellings.

(2) Essential services.

(3) Community living arrangements [§ 62.23(7)(i)2 to 10, Wis. Stats.].

B. Permitted accessory uses.

(1) Private garages and carports.

(2) Gardening, tool and storage sheds incidental to the residential use.

(3) Home occupations as specified herein.

(4) Raising of chickens in accordance with the following: **[Added 2-7-2011 by Ord. No. 2011-02]**

(a) All residential lots are permitted to keep up to five chickens.

(b) Residential lots equal to or greater than 32,670 square feet (3/4 acre) are permitted to keep up to 25 chickens with appropriate license from the Town of Port Washington.

[1] Any person raising more than five chickens shall obtain an annual license prior to January 1 of each year, or within 30 days of acquiring the chickens.

[2] The yearly license commences January 1 and expires on the following December 1.

[3] The license application and fee shall be provided to the Town Treasurer.

[4] The Treasurer or other authorized individual shall collect the fee and shall assess and collect a late fee from every owner of chickens, if the owner fails to obtain a license prior to April 1 of each year, or fails to obtain a license within 30 days of acquiring the chickens. All late fees received or collected shall be paid into the local treasury.

[5] The applicant for a license notifies all residents of the property and the owner or operator of the property if the applicant is not the owner or operator. Notification is not required for renewal of a license.

[6] The Zoning Administrator may revoke a license if there are three or more violations within any six-month period of any ordinance regulating the keeping of domestic poultry in the Town of Port Washington.

(c) No person shall keep any rooster.

(d) Slaughtering/butchering chickens is not permitted.

(e) All chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times.

(f) Enclosures (fenced or covered) used for raising chickens shall not be located in the street yard.

(g) Enclosures (fenced or covered) shall not be located within the side or rear yard setback.

(h) All chicken feed shall be stored in rodent- pest-proof containers.

(i) Odors from chickens, chicken manure, or other chicken-related substances shall not be perceptible at any property line.

(j) Perceptible noise from chickens shall not be loud enough at the property boundaries to disturb persons of reasonable sensitivity.

C. Conditional uses. See Article IV.

D. Lot area and width. Lots shall have a minimum area of one acre and shall not be less than 120 feet in width.

E. Dwelling standards

(1) A single-family dwelling within the R-2 District shall have a minimum living area measured in square feet from the outside of exterior walls, excluding cellars, basements, open porches, breezeways, garages, and other spaces that are not used frequently or during extended periods for living, eating or sleeping purposes, in accordance with the following:

(a) First floor: 800 square feet minimum.

(b) Total living area: 1,200 square feet minimum.

(2) Each single-family dwelling shall have a garage that is a minimum of 400 square feet in area.

F. Building height. No building or parts of a building shall exceed 42 feet in height. **[Amended 8-4-2008 by Ord. No. 2008-01]**

G. 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 the parcel not less than 20 feet in width.

(4) There shall be a rear yard of not less than 40 feet.

(5) When a new R-2 residential lot (or use) is created adjacent to a B-1 or M-1 lot (or use) there shall be a buffer on that lot that conforms to the landscaping and fencing regulations in § 340-59 along any side abutting a residential district. **[Added 8-5-1999 by Ord. No. 99-6]**

H. Accessory structures. **[Added 8-4-2008 by Ord. No. 2008-01]**

(1) General standards for accessory structures.

(a) Any accessory structure shall be located on a lot only with a principal structure.

(b) An accessory structure shall not be located closer than 10 feet to any principal structure, or another accessory structure.

(c) The combination of all accessory structure(s) on a lot shall not exceed 20% of the rear yard area.

(d) The combination of all accessory structure(s) on a lot shall not exceed 20% of the side yard area.

(e) An accessory structure shall only be located in a rear or side yard. Where site conditions do not allow an accessory structure to be placed in a rear or side yard area, the Plan Commission may grant approval of an accessory structure in the street yard, where the applicant shows no other alternatives are available. If allowed in a street yard, the accessory structure shall conform with the street yard setback of the R-2 District.

(f) Only one accessory structure less than 151 square feet shall be located, erected or moved on a lot; and only one accessory structure over 151 square feet shall be located, erected or moved on a lot. The Plan Commission may permit more than one structure where more than one accessory structure is needed for the orderly development of the lot. If the Plan Commission permits additional structures on a lot, it may impose additional yard requirements, landscaping requirements, architectural design requirements and parking requirements or require additional minimum separation between structures.

(g) The use of an accessory structure shall be clearly customary and incidental to the principal use of the lot. No living quarters shall be permitted in an accessory structure.

(2) Standards for an accessory structure 150 square feet and smaller in size. These structures:

(a) Shall not be located closer than 20 feet from any rear or side lot line.

(b) Shall comply with the minimum shore yard of 75 feet.

(c) Shall not exceed 15 feet in height.

(3) Standards for an accessory structure between 150 square feet and 1,200 square feet in size. These structures: **[Amended 11-9-2020 by Ord. No. 2020-04]**

(a) Shall comply with the setbacks of the R-2 District.

(b) Shall not exceed 25 feet in height.

(4) Standards for an accessory structure 1,200 square feet and larger in size. These structures: **[Amended 11-9-2020 by Ord. No. 2020-04]**

(a) Shall require Plan Commission approval as a conditional use, pursuant to the procedures of Article IV.

(b) Shall comply with the setbacks of the R-2 District.

(c) Shall not exceed 25 feet in height.

§ 340-22.1. R-4 Residential District. [Added 8-3-2020 by Ord. No. 2020-03]

The R-4 Residential District is intended to provide for single-family development within the City Growth Area (as defined by the Settlement Agreement Between the City of Port Washington and the Town of Port Washington, Ozaukee County, Wisconsin, to Provide for Orderly Land Development, Boundary Agreements and Shared Services, dated November 23, 2004), at densities not to exceed 4.0 dwelling units per net acre, served by public sanitary sewer and municipal water. Land may not be zoned R-4 unless public sanitary sewer and municipal water have been or will be extended to the property and the property owner provides written confirmation from the City of Port Washington that the property may connect to public sanitary sewer and municipal water without annexation.

A. Permitted uses.

(1) Single-family dwellings.

(2) Essential services.

(3) Community living arrangements [§ 62.23(7)(i)2 to 10, Wis. Stats.].

B. Permitted accessory uses.

(1) Private garages and carports.

(2) Gardening, tool and storage sheds incidental to the residential use.

(3) Home occupations.

C. Conditional uses. See Article IV.

D. Lot area and width. Lots shall have a minimum area of 10,000 square feet and shall not be less than 85 feet in width.

E. Dwelling standards.