City of Brookfield, Wisconsin

ORDINANCE NO. 2372-14 of the PLAN COMMISSION

Commission Date: June 9, 2014  Commission Action: Carried 6-0

Ordinance amending Chapters 15.04.040, 15.04.420, and 17.28.010 of the Zoning Code, regarding residential accessory buildings, including cabanas, gazebos, green houses, pergolas and pavilions as permitted uses.

Ordinance No. 2372-14  Council Date: June 17, 2014  Council Action: Adopted

WHEREAS, the Common Council of the City of Brookfield held a public hearing on the amendments hereinafter described on June 3, 2014; and

WHEREAS, the City Plan Commission recommended approval of certain amendments to the City Zoning Code at its meeting on June 9, 2014.

NOW, THEREFORE, the Common Council of the City of Brookfield do ordain the following amendments as follows:

Part I. Amend Section 15.04.040 “Definitions” to add the following language:

"Pergola“ a horizontal trellis or framework, supported on posts, that carries climbing plants and may form means a covered walk or covered patio area.

"Pavilion“ means a roofed structure with open sides, supported on posts, used for shelter.

Part II. Amend Section 15.04.420 B. “Residential accessory buildings – Regulations” to read as follows:

B. No more than a total of two of the following residential accessory buildings shall be located on a residential property: cabana, gazebo, greenhouse, yard maintenance building, pavilion, pergola. The combination of all accessory buildings shall comply with the maximum lot coverage regulations for the zoning district.

Part III. Amending Section 15.04.420(C) to add the following subsection 5:

5. Pergolas and Pavilions in Residential Districts. One pergola or pavilion shall be permitted on a residentially zoned property, subject to the following criteria:

a. Location. No pergola or pavilion shall be located in the setback or offset areas or within ten feet of any other building or structure on the subject lot. Pergolas and pavilions must be placed in the rear yard.

b. Construction Standards. Pergolas and pavilions shall be built in accordance with the general construction standards established in the UDC.

c. Additional Requirements.

i. Pergolas and pavilions shall not exceed two hundred (200) square feet in size.
ii. The maximum height of a pergola or pavilion shall not exceed fifteen (15) feet.

iii. Such structure shall be permanently attached to the ground via concrete footings.

iv. Pergolas or pavilions which are attached to the principal building are regulated by rules associated with building additions.

vii. A survey must be submitted to the inspection services department as part of the plan review process. This survey must be less than one year old.

Part IV. Amend Section 17.28.010(F) "Permitted uses" to add the following:

8. Cabanas as restricted in sec. 15.04.420 C. 2.

9. Gazebos as restricted in sec. 15.04.420 C. 3.


11. Pergolas and pavilions as restricted in sec. 15.04.420 C.5.

Part V. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

Part VI. This ordinance shall be in full force and effect from and after is passage and publication.

ADOPTED AND APPROVED _____________ June 17 _____________, 2014

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Kelly Michaels, City Clerk      Steven V. Ponto, Mayor

Published: June 26, 2014