

ORDINANCE NO. 617

An Ordinance of the Municipal Code of the City of Kiel Amending Chapter 17 (Zoning Code)

The Common Council for the City of Kiel do ordain as follows:

SECTION 1: Chapter 17.32 is hereby amended to read as follows:

17.32 ACCESSORY USES AND STRUCTURES. [#412 2/10/98]

- (1)** An accessory use or structure in any zoning district shall not be established prior to the principal use or structure being present or under construction. Any accessory use or structure shall conform to the applicable regulations of the district in which it is located, except as specifically otherwise provided.
- (2)** Accessory structures in R-1, R-2 and R-3 districts are subject to the following regulations:
 - (a)** Residences With Attached Garages:
 - 1.** One (1) attached garage per dwelling unit shall be permitted, and the measurement of said garage shall be as follows:
 - a.** The maximum square feet of floor area shall be limited to the smaller of one thousand two hundred (1200) square feet or the first floor dwelling unit area in the case of a single family residence.
 - b.** The maximum square feet of floor area shall be limited to the smaller of six hundred (600) square feet or the first floor dwelling unit area in the case of a duplex or 2-family dwelling or multi-family dwelling.
 - c.** Minimum yards shall be the same size as that required for the principal structure.
 - 2.** One (1) detached accessory structure per dwelling unit shall be permitted, provided the combined area of the attached garage and accessory structure does not exceed the maximum limits set forth in Subsection 1 hereinabove, and complies with the location and height regulations for detached garages as provided hereinbelow, except where subdivision covenants provide otherwise.
 - (b)** Residences With Detached Garages.
 - 1.** One (1) detached garage per lot shall be permitted, with the following size limitations:
 - a.** The maximum square feet of floor area shall be limited to the smaller of one thousand two hundred (1200) square feet, the first floor dwelling unit area of the principal structure, or thirty-five percent (35%) of the rear yard.
 - b.** When located to the rear of the principal dwelling unit, the structure, including any overhang shall be a minimum of three (3) feet from the rear and side lot lines; if located in a side yard, the structure shall be a minimum of eight (8) feet from the side property line. In either event, the structure shall be a minimum of eight (8) feet from the dwelling unit, and shall not be located in a required front or street side yard for a corner lot.

- c. A detached garage shall have a maximum sidewall height of ten (10) feet with the pitch of the detached structure roof not greater than the pitch of the principal dwelling roof.
- 2. One (1) additional accessory structure per lot shall be permitted, provided the combined floor area of the two detached structures shall not exceed the area permitted for a detached garage as set forth in this Subsection, and provided it complies with all applicable height and location requirements for detached garages.

(c) Residences On a Lot Greater Than One (1) Acre in Size:

- 1. An additional one (1) detached accessory structure and six hundred (600) square feet of combined square footage of the garage and accessory structure(s) is permissible in addition to the square footage allowances as provided as set forth in this Subsection, and provided it complies with all applicable height and location requirements as set forth in this Subsection.
- (3) No detached garages or other accessory buildings shall be located nearer the front lot line than the principal building on that lot.
- (4) No basement, tent, trailer or accessory building shall at any time be used as an occupied dwelling.
- (5) No accessory building or structure, unless an integral part of the principal building, shall be erected, altered or moved within 8' of the principal building.
- (6) When accessory buildings are attached to the principal building by a breezeway, passageway or similar means, they become part of the principal building and shall comply in all respects with the yard requirements and local Building Code of the principal building.
- (7) The minimum yard requirements also apply to accessory buildings. However, where the rear lot abuts an alley, accessory buildings not attached to the principal building shall be located so as to be not closer than 6' to the rear lot line.

SECTION 2: This ordinance takes effect upon passage and publication in accordance with the law.

Ordinance No. 617 introduced on September 10th, 2024 by Alderperson Fromm, seconded by Alderperson Guell.

Upon a call of votes thereof, the result was as follows:

6 _____ Votes Cast
4 _____ Votes Aye
2 _____ Votes Nay

The Mayor declared Ordinance No. 617 introduced and approved this 10th day of September, 2024

MICHAEL STEINHARDT, Mayor

COUNTERSIGNED:

DAVID FUNKHOUSER, City Administrator