

Report to the Manitowoc Plan Commission

Meeting Date: August 25, 2021

Report: Building Inspection has initiated the ordinance amendment to add some detail to building features that can extend into a yard setback area. Building Inspection has had a couple of recent scenarios regarding building features in the setback, the change will not include downspouts, but will add gutters to features that may extend into half the setback area.

Bill Nichols from Building Inspection will be present at the Plan Commission to answer questions if needed.

Amendments to the Chapter 15 Zoning Code require a public hearing at the Common Council meeting, the public hearing will be scheduled for September 20th.

Recommendation: Approve the amendment to Section 15.390(5) Yards and Open Spaces in the Municipal Code.

ORDINANCE

An Ordinance to amend Section 15.390 of the Manitowoc Municipal Code regulating Supplementary Regulations- Yard, Height, Area, and Setbacks.

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

Section 1. Section 15.390 amended to read as follows:

“15.390 Supplementary Regulations- Yard, Height, Area, and Setbacks.

...

(5) Yards and Open Spaces. No space which, for the purpose of a building or dwelling group, has been counted or calculated as a part of a side yard, rear yard, front yard, court, or other open space required by this chapter may, by reason of change in ownership or otherwise, be counted or calculated to satisfy or comply with a yard, court, or other open space requirement of or for any other building. The minimum yards or other open spaces, including lot area per family required by this chapter for each and every building existing at the time of the passage of the ordinance codified in this chapter or for any building hereafter erected, shall not be encroached upon or considered as yard or open space requirements for any other building. Every part of a required yard shall be open from its lowest point to the sky unobstructed except for the following:

- (a) Accessory building in the rear yard;
- (b) Ordinary building projections **excluding downspouts**, such as bay windows, cornices, eaves, **gutters**, belt courses, sills or similar architectural features, which may project into any yard **setback area by** not more than two feet;

...”

Section 2. This ordinance shall take effect the day after publication.

INTRODUCED _____ ADOPTED _____

APPROVED _____
Justin M. Nickels, Mayor

Fiscal Impact:	Minimal
Funding Source:	Current publication budget for City
Finance Director Approval:	/SMA
Approved as to form:	/EMM

This ordinance was drafted by Elizabeth Majerus, Assistant City Attorney.