

11.05

**Setback, corner side yard:** The minimum horizontal distance between the side line of the building or use that runs perpendicular to a fronting street, and the right-of-way line of the fronting street.

**Setback lines:** Lines established relative to lot lines or street right-of-way lines for the purpose of defining limits within which any or certain buildings, structures, or uses may not be constructed, maintained or carried on, except as otherwise permitted herein.

**Setback, rear yard:** The minimum horizontal distance between the back line of the building or use, and the rear lot line.

**Setback, side yard:** The minimum horizontal distance between the side line of the building or use, and the side lot line; except that if the side line of the building or use is parallel to a street, it shall be a corner side yard setback.

**Sign:** A name, identification, display, illustration, statuary, or other advertising device which is placed upon or affixed to land, or to a building or structure, and which promotes, advertises for sale, or directs attention to an object, product, place, activity, person, institution, organization or business.

**Site:** The entire area included in the legal description of the land on which the land disturbing construction activity or land development activity is proposed in the permit application.

**Story:** A habitable space between two floors or between a floor and the ceiling above it.

**Story, half:** A story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not less than two feet above the floor of such story.

**Street:** A public thoroughfare 30 feet or more in width.

**Structure:** Anything constructed or erected, the use of which requires more or less permanent location on the ground.

**Structural alterations:** Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

**Transitional Facility.** A premises, other than a community living arrangement or community based residential facility, for the temporary placement of persons on parole, extended supervision, or probation in a controlled environment, including supervision or monitoring. A transitional facility may be permitted as a conditional use in the High Density Zoning District, Section 11.07, pursuant to the conditions and guidelines of Section 11.26, Conditional Use, Municipal Code of the Village of Allouez.

**Tree Houses/Playhouses.** A tree house or playhouse is an accessory structure that is permitted on a residential property.

**Underlying zoning:** The zoning district existing at the time the overlay conditional use is adopted or is subsequently amended.

11.05

the front yard line established for building by s. 11.03 C.(1) of this Code.

(5) Limitations on Size of Buildings.

(a) A building together with any accessory building shall not occupy in excess of 50% of a corner lot, or in excess of 40% of an interior lot. Public and semi-public buildings such as churches, schools and hospitals in existence at the time of the original passage of these zoning regulations, which may be hereafter destroyed wholly or partially by fire or otherwise, are permitted to rebuild on the original area and to the original set-back lines within said district.

(b) A detached accessory building may not occupy more than 30% of the area of a required rear yard.

D. Accessory Building Sizes.

The accumulative square footage of all accessory buildings to include detached and attached garages shall not exceed 1200 square feet.

E. Off Street Parking.

Off-street parking shall be regulated as set forth in Section 11.13, Off-Street Parking Requirements.

F. Signs.

Signs shall be regulated as set forth in Section 11.28, Signs.

G. Building Design and Construction Regulations.

The minimum size of dwelling units, exclusive of porches, garages, and other outbuildings shall be as follows:

- (1) One, two, and three bedroom dwellings: 1000 sq. ft.
- (2) Four bedroom dwellings: 1300 sq. ft.
- (3) Five bedroom dwellings: 1600 sq. ft.
- (4) Six or more bedroom dwellings: 2000 sq. ft.

H. Exceptions.

For exceptions, see Section 11.15.

I. Tree Houses/Playhouses

Tree houses and playhouses must meet the following zoning requirements.

- (1) Building Permit Required

To ensure that a playhouse (accessory structure with ground supports) is meeting the zoning and building requirements, a building permit is required when:

- the structure has supports to the ground or
  - is to be supplied with electricity and/or water
- A tree house (accessory structure supported solely and entirely by a tree or trees) does not require a building permit unless it is to be supplied with electricity and/or water, but is required to meet the zoning requirements described below.

- (2) Zoning Requirements  
Defined: The Zoning Ordinance does not specifically define a tree house or a playhouse. Such structures are regulated under the provisions of accessory structures. The Zoning Ordinance has been interpreted such that a tree house is considered an accessory structure that is supported solely and entirely by a tree or trees. If the structure is supported by a tree or trees but also has any support directly to the ground, it is considered a playhouse.
- (3) Setback Requirements: Setback requirements vary by the size and shape of the lot, the zoning district, and whether it is a corner lot, interior lot, or double frontage lot. Tree houses and playhouses are not permitted in the required front yard, side yard adjoining a street, or a minimum side yard. Tree houses are allowed in a required rear yard.
- (4) Maximum height: Tree houses and playhouses, as accessory structures, are permitted up to 15.0' in height from adjacent grade to the highest point of the roof.
- (5) Impervious surface coverage requirements: Playhouses (accessory structures with ground supports) must meet the impervious surface coverage requirements, which are based on their location on a lot.
- (6) Total lot coverage and floor area: Playhouses (accessory structures with ground supports) may be counted as square footage for lot coverage and floor area. The maximum permitted lot coverage and floor area vary by lot size.
- (7) Separation from house: Playhouses (accessory structures with ground supports) are to be a minimum of 10.0" from the nearest wall of the house.
- (8) Separation between accessory structures: A minimum of four (4) feet separation is required between roofed accessory structures as measured from the walls of each structure.
- (9) Maximum size of roofed accessory structure: Playhouses and tree houses, as a roofed accessory structure, may not exceed 150 square feet in area.