

which the width of such lot is less than thirty-five (35) feet, and provided further, that the combined width of both side yards shall not be less than six (6) feet.

SEC. 5.8. SIDE YARDS—NON-RESIDENTIAL USE

Every lot on which a building or structure used for non-dwelling purposes other than an accessory building is erected, shall have a side yard on each side of such lot, and each such yard shall be not less than fifteen (15) feet in width with an increase of one (1) foot in width of each side yard for each five (5) feet, or part thereof, by which the said building or structure exceeds forty (40) feet in overall dimension along the side yard and also of an additional one (1) foot for every two (2) feet in height in excess of thirty-five (35) feet.

SEC. 5.9. FRONT YARD

Every lot, except as regulated under Section 5.1, paragraph 10 (a), shall have a front yard not less than twenty (20) feet in depth except that the required depth of such front yard, for lots used for dwelling purposes, shall be reduced in accordance with the following rules where such a lot is situated within eighty (80) feet of a lot in the same block upon which a building has already been erected and upon which lot there is a front yard less than twenty (20) feet in depth.

(a) In such cases where the lot to be built upon is situated between two lots both of which have been built upon, and either of which has a front yard less than twenty (20) feet in depth, the required minimum depth of front yard for the lot to be built upon shall be equal to the distance between the front lot line and the intersection of the center of the front wall of the proposed building with a straight line running between the centers of the front walls of the existing buildings on the two lots above described.

(b) In such cases where the lot to be built upon has no lot on one side already built upon and there is a lot already built upon with a front yard less than twenty (20) feet in depth on the other side, the required minimum depth of front yard for the lot to be built upon shall be equal to the distance between the front lot line and the intersection of the center of the front wall of the proposed building with a straight line running between the center of the front wall of the existing building and a point twenty (20) feet inside of the front lot line and eighty (80) feet distant from the lot to be built upon and on the other side thereof.

(c) In such cases where the lot to be built upon is bounded on one side by a street or alley and on the other side by a lot already built upon with a front yard less than twenty (20) feet in depth, the required minimum depth of front yard for the lot to be built upon shall be equal to the existing depth of front yard on the adjoining lot already built upon.

SECTION 6. R2 DISTRICTS

The following regulations shall apply in all R2 Districts:

SEC. 6.1. USES PERMITTED

No building or structure, or part thereof, shall be erected, altered, or used, or premises used, in whole or in part, for other than one or more of the following specified uses:

1. Uses permitted in R1 Districts.
2. Two Family Dwellings.

2A. Multiple dwellings occupied by not more than eight (8) families, approved by the Commission, after hearing, as being essential or desirable to the public convenience or welfare, not injurious to the surrounding neighborhood and not contrary to the spirit and purposes of this ordinance: Provided, That a written report of its decision shall be filed with the Common Council, which shall become final 30 days after the filing thereof unless within that time a protest against such decision is filed with the Common Council, signed by the applicant, or by an owner or owners of property within 300 feet of the premises in question. A public hearing shall then be held thereon by the Common Council and it may, by resolution, approve or disapprove said use.

2B. Medical or dental offices, approved by the Commission, after hearing, as not being injurious to the surrounding neighborhood and not contrary to the spirit and purposes of this ordinance: Provided, That the lot to be built upon is located on a street designated on the Master Plan of Trafficways as a secondary or major thoroughfare or an expressway.

3. Uses accessory to any of the above when located on the same lot and not involving any business, profession, trade or occupation. (Ord. 703-F, effective May 31, 1962.)

SEC. 6.2. SIGNS

No signs shall be permitted on a lot other than one (1) non-illuminated real estate sign not exceeding six (6) square feet in area, advertising the sale or rental of the premises upon which it is maintained, except in the case of lots containing permitted non-residential buildings or structures other than accessory buildings, whereon one flat sign not exceeding thirty-two (32) square feet in area may be maintained.

Not more than one (1) non-illuminated trespassing, safety or caution sign not over two (2) square feet in area shall be permitted on a lot.

Not more than one (1) non-illuminated subdivision sign advertising the sale or rental of premises for subdivision development on which it is maintained, and having an area not to exceed three hundred (300) square feet nor ten (10) square feet for each lot within the subdivision, shall be permitted on a subdivision. The overall height of any ground sign permitted herein shall not exceed five (5) feet above the ground except that the subdivision sign permitted herein may extend to an overall height of not more than twelve (12) feet above the ground.

SEC. 6.3. SIZE OF LOT

Every lot upon which a building for two-family purposes is hereafter erected shall be not less than fifty-five (55') feet in width as measured on the lot at a point twenty (20') feet distant from the front lot line and not less than six thousand (6,000) square feet in area. Provided that a building for two-family purposes may be erected on a lot of lesser width or area if such lot was platted and identified as a single unit on a plat officially approved and recorded prior to June 1, 1960 and upon which parcel said building is to be erected, except that this provision shall not apply where grants are given for division or partitioning of lots under provisions of Section 3.8A, Paragraph 2. If parts of two or more parcels of land, any part of which was platted and identified as a single unit on a plat officially approved and recorded prior to June 1, 1960 are combined to create a lot upon which a building for dwelling purposes is to be built, the ensuing lot shall be no smaller in width or in area than the larger or largest of such parcels which were platted and identified as a single unit on a plat officially approved and recorded prior to June 1, 1960. In no instance, however, shall a two-family dwelling be hereafter erected on a lot having a width of less than thirty-five (35') feet or an area of less than four thousand (4,000) square feet. (Ord. 476-F, effective April 28, 1960 and Ord. 663-E, effective August 21, 1952.)

SEC. 6.4. LOT COVERAGE

The combined area occupied by all buildings or structures used for dwelling purposes and accessory buildings shall not exceed thirty-five (35) per cent of the area of the lot: Provided, That on lots less than four thousand (4000) square feet in area the allowable percentage of lot coverage shall be increased by one (1) per cent for each hundred (100) square feet by which the area of a lot is less than four thousand (4000) square feet, with a maximum coverage in any such case not in excess of forty-five (45) per cent.

SEC. 6.5. HEIGHT

No building or structure, or part thereof, shall be erected or altered to a height exceeding two and one-half (2½) stories or thirty-five (35) feet except that buildings permitted in these districts under this Ordinance for non-dwelling purposes, other than accessory buildings, may be erected or altered to a height not exceeding fifty (50) feet, if approved by the Commission as being not injurious to contiguous property and as not being contrary to the spirit and purpose of this Ordinance.

SEC. 6.6. REAR YARD

Every lot shall have a rear yard not less than thirty (30) feet in depth.

SEC. 6.7. SIDE YARDS—TWO-FAMILY DWELLINGS

There shall be provided a side yard on each side of every lot, which shall not be less than three (3) feet in width, and the combined width of both side yards shall be not less than ten (10) feet six (6) inches.

SEC. 6.7A. SIDE YARDS—MULTIPLE DWELLINGS

Every lot on which a multiple dwelling is erected shall be provided with a side yard on each side of such lot. Each such side yard shall have a minimum width of ten (10) feet which shall be increased by one (1) foot for each five (5) feet or part thereof by which the length of the building or structure exceeds fifty (50) feet in overall dimension along the side yard.

There shall be provided a side yard of not less than thirty (30)

feet for multiple dwellings containing principal or secondary entrances to one or more dwelling units along the side yard.

SEC. 6.8. SIDE YARDS—NON-RESIDENTIAL USE

Every lot on which a building or structure used for non-dwelling purposes other than an accessory building is erected shall have a side yard on each side of such lot, and each such yard shall be not less than fifteen (15) feet in width with an increase of one (1) foot in width of each side yard for each five (5) feet, or part thereof, by which the said building or structure exceeds forty (40) feet in overall dimension along the side yard and also of an additional one (1) foot for every two (2) feet in height in excess of thirty-five (35) feet.

SEC. 6.9. FRONT YARD

Every lot, except as regulated under Section 5.1, paragraph 10(a), shall have a front yard not less than twenty (20) feet in depth except that the required depth of such front yard, for lots used for dwelling purposes, shall be reduced in accordance with the following rules where such a lot is situated within eighty (80) feet of a lot in the same block upon which a building has already been erected and upon which lot there is a front yard less than twenty (20) feet in depth.

(a) In such cases where the lot to be built upon is situated between two lots, both of which have been built upon, and either of which has a front yard less than twenty (20) feet in depth, the required minimum depth of front yard for the lot to be built upon shall be equal to the distance between the front lot line and the intersection of the center of the front wall of the proposed building with a straight line running between the centers of the front walls of the existing buildings on the two lots above described.

(b) In such cases where the lot to be built upon has no lot on one side already built upon and there is a lot already built upon with a front yard less than twenty (20) feet in depth on the other side, the required minimum depth of front yard for the lot to be built upon shall be equal to the distance between the front lot line and the intersection of the center of the front wall of the proposed building with a straight line running between the center of the front wall of the existing building and a point twenty (20) feet inside of the front lot line and eighty (80) feet distant from the lot to be built upon and the other side thereof.

(c) In such cases where the lot to be built upon is bounded on one side by a street or alley and on the other side by a lot already built upon with a front yard less than twenty (20) feet in depth, the required minimum depth of front yard for the lot to be built upon shall be equal to the existing depth of front yard on the adjoining lot already built upon.

SEC. 6.10. LOT AREA PER ROOM—MULTIPLE DWELLINGS

Sec. 6.10. Every lot used for a multiple dwelling shall contain not less than nine hundred (900) square feet of area for each room used either as a bedroom or a living room, provided, however, that the application of the foregoing lot area requirement shall not result in a density of land coverage exceeding twenty (20) dwellings units per acre. (Amended, Sec. 6.7-A and 6.10, Ord. 163-E, effective August 6, 1947 and Ord. 190-F, effective February 28, 1957.)

SECTION 7. RM DISTRICTS

The following regulations shall apply in all RM Districts:

SEC. 7.1. USES PERMITTED

No building or structure, or part thereof, shall be erected, altered, or used, or premises used, in whole or in part, for other than one or more of the following specified uses:

1. Uses permitted in R2 Districts.
2. Multiple dwellings in which less than fifty (50) per cent of the living units in the structure are efficiency units.

2-A. Multiple dwellings in which fifty (50) or more per cent of the living units in the structure are efficiency units, subject to the approval of the Commission as being essential or desirable to the public convenience or welfare, not injurious to the surrounding neighborhood and not contrary to the spirit and purpose of this ordinance.

2-B. Motels, subject to the approval of the Commission as being essential or desirable to the public convenience or welfare, not injurious to the surrounding neighborhood and not contrary to the spirit and purposes of this ordinance.

2-C. Homes, centers and schools for the care, boarding and/or teaching of children.

3. Private offices for doctors or dentists, provided such offices are parts of dwelling units occupied by such doctors or dentists and not more than one such doctor or dentist practices in any such office.

4. Rooming houses.

4-A. Lodging houses, provided that any lodging house established after the effective date of this amendment shall be so located that there is not in existence more than one (1) hotel, pool or billiard room, pawnshop, shoeshine parlor, secondhand store, taxi-dance hall, establishment used for the sale of beer and/or intoxicating liquors for consumption on the premises, or other lodging house within one thousand (1,000) feet of the boundaries of the site of the proposed said lodging house. This location limitation may be waived by the Common Council after report and recommendation from the City Plan Commission and upon finding that such use (1) will not be injurious to the contiguous or surrounding neighborhood, (2) will not be conducive to the spread of blight by creating a more unfavorable environment in which to rear children or by creating a less wholesome community, and (3) will not be contrary to the public interest, so that the spirit of the Ordinance shall be observed, public safety secured, and substantial justice done. The Common Council may impose other conditions and limitations to carry out such purposes.

5. Publicly owned buildings, public utility buildings, telephone exchanges, transformer stations and sub-stations without service or storage yards, subject to the approval of the Commission as being not injurious to surrounding neighborhood and not contrary to the spirit and purpose of this Ordinance.

6. Private garages, either separate or in connected groups having common and unpierced divided walls between contiguous private garages.

7. Open parking lots for the storage of self-propelled passenger vehicle, if the space used for parking is separated from all required yards and contiguous streets by an ornamental wall or fence four (4) feet in height, all entrances and exits to such lots to be determined by the Commission and if found by the Commission to be not injurious to the surrounding neighborhood and not contrary to the spirit and purpose of this Ordinance.

8. Uses accessory to any of the above permitted uses. (Sec. 2-A, effective July 7, 1949; Ord. No. 385-E; Sec. 7, effective Jan. 19, 1950; Ord. No. 399-E; Ord. 886-E, effective Aug. 18, 1954; Ord. 673-F, effective March 1, 1962; Ord. 703-F, effective May 31, 1962. (Ord. 755-F; effective December 28, 1962.)

SEC. 7.2. SIGNS

No signs shall be permitted on a lot other than one (1) non-illuminated real estate sign not exceeding six (6) square feet in area, advertising the sale or rental of the premises upon which it is maintained, except in the case of lots containing permitted non-residential buildings or structures other than accessory buildings, whereon one flat sign not exceeding thirty-two (32) square feet in area may be maintained.

Not more than one (1) non-illuminated trespassing, safety, doctors', dentists', or caution sign not over two (2) square feet in area shall be permitted on a lot.

Not more than one (1) non-illuminated subdivision sign advertising the sale or rental of premises for subdivision development on which it is maintained, and having an area not to exceed three hundred (300) square feet nor ten (10) square feet for each lot within the subdivision, shall be permitted on a subdivision. The overall height of any ground sign permitted herein shall not exceed five (5) feet above the ground except that the subdivision sign permitted herein may extend to an overall height of not more than twelve (12) feet above the ground.

SEC. 7.3. SIZE OF LOT

Every lot upon which a multiple family dwelling is hereafter erected shall be not less than seventy (70') feet in width as measured on the lot at a point twenty (20') feet distant from the front lot line and not less than seven thousand (7,000) square feet in area. Provided that a building for multiple family purposes may be erected on a lot of lesser width or area if such lot was platted and identified as a single unit on a plat officially approved and recorded prior to June 1, 1960 and upon which parcel said building is to be erected except that this provision shall not apply where grants are given for division or partitioning of lots under the provisions of Section 3.8A, Paragraph 2. In no instance, however, shall a multiple family dwelling be hereafter erected