

## **Village of Menomonee Falls, Wisconsin**

### **COMMITTEE OF THE WHOLE MEETING**

#### **MINUTES**

**Monday, October 2, 2017**

Village President, Joseph Helm, called the meeting to order at 7:07 p.m.

Present: Village President Joseph Helm; Trustee Katie Kress; Trustee Randy Van Alstyne; Trustee David Glasgow; Trustee Bonnie Lemmer; Trustee Paul Tadda; Trustee Jeremy Walz

Staff Present: Village Manager Mark Fitzgerald; Village Attorney Michael Morse; Assistant Village Manager/Director of Public Works Arlyn Johnson; Director of Community Development Matt Carran; Director of Protective Services Anna Ruzinski

#### Discussion relating to proposed amendments to existing ordinances regulating the unenclosed storage of boats, campers and trailers

Trustee Glasgow's comments:

- Does not want an open ended item like this in the village.
- Need to balance out the needs of many residents.
- Talked to numerous realtors - storage of these items is great negative and impacts buyers. It makes selling a house difficult when boats are in the driveway. It affects property values.
- If there is not a well defined ordinance, then hard to enforce and there is no recourse for property owners.
- Aesthetics is problematic with the storage of these items.
- Also wants parking restrictions to help make areas aesthetically positive.
- Would appreciate consideration of the proposed ordinance.

Trustee Lemmer's comments:

- Speaking from a realtor's perspective, having recreational vehicles and trailers on a property makes a sale more difficult.
- If the storage is not a big issue, then why do all the new subdivisions prohibit it?
- Concerns about older neighborhoods retaining property values.

Village President Helm's comments:

- He has received more contacts on this topic than any other issue the past two weeks. The contacts were against storage of vehicles in the front yard other than for short periods of time.
- He feels property owners are well intended when storing these items on their property, but there is always the exception.
- Feels this will have a large impact on real estate markets and neighborhoods in the future.
- He wants to stay with the current ordinance.

Director of Community Development, Matt Carran, stated that based on the other Committee of

the Whole meetings, the ordinance was changed to consider a limit of 2 items, no utility tarps, and consideration of the size of the lot and/or zoning. The idea was to create an ordinance to bring to the Plan Commission. He reviewed the draft ordinance. The main items are:

- A maximum length 35'
- The items cannot be stored in multifamily residences
- Large lots would allow for a secondary recreational vehicle 5' from the property line on a paved surface

A map was reviewed that showed larger lots in the village (yellow lots) vs. smaller lots (red lots)

Trustee Walz's comments:

- He lives on a small lot and feels that having a recreation vehicle in the driveway is ok.
- Small lots like his 1/4 acre lot should be able to have a parked recreation vehicle. Larger lots should allow for storage of two recreational vehicles.
- He thinks there is a need to have recreational vehicles in front of the garage or lot.

Village Manager, Mark Fitzgerald, stated that recreation vehicles in the front yard are the most objectionable. He asked Director Carran to show pictures of recreation vehicles, trailers, and boats that are currently parked or stored on properties in the village.

Trustee Tadda and Trustee Glasgow asked Director Carran to provide data reflecting which lots in the village do not have a home owners association and would be most affected by the proposed ordinance requirements.

Trustee Kress's comments:

- There needs to be a balance with property rights.
- She is open to year round storage, and likes that the date restriction was removed.
- She does not object to storage in front of a garage.

Trustee Van Alstyne's comments:

- He thinks the date restriction should be included in the ordinance, it is critical to eliminate the problem of some areas not being kept up year round.
- The date restriction should be April 1 to November 1.
- There are two views of village property owners. The property owners wanting to store items versus the residents who don't want the items stored.

Trustee Glasgow's comments:

- He wants the current ordinance, including time restrictions, enforced. He does not want 2, 3 months, or year round.
- His problem is how it affects the real estate market value. Doesn't want to do this to property owners in the village. Looking at it from a market perspective.

Trustee Walz's comments:

- He asked to have the dates removed. Thinks the storage should be all year round and not restricted.
- Thinks the proposed ordinance should move forward.
- Should look at other communities in the area when drafting the ordinance.

Trustee Lemmer's comments:

- Need to think about the rights of the residents who do not have recreational vehicles, trailers, or boats, who are the majority. Need to think about neighbors.

The consensus of the village board members in regard to the proposed ordinance was 4 in favor and 3 opposed. The Plan Commission will be made aware of the consensus when they review the ordinance. After Plan Commission review a public hearing will be held by the Village Board before consideration of the proposed ordinance.

Adjournment

Motion by Trustee David Glasgow, second by Trustee Katie Kress to adjourn the Committee of the Whole meeting.

**Vote:** 7 - 0 Motion Carried

The Committee of the Whole adjourned at 8:21 p.m.

Minutes transcribed by Janice Moyer, Village Clerk & Treasurer  
Minutes approved on November 6, 2017



**Committee of the Whole**

**2.**

**Meeting Date:** 10/02/2017  
**Topic:** Storage of Recreational Vehicles  
**From:** Matt Carran, Director of Community Development  
**Department:** Community Development

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**Information**

**Subject:**

Discussion relating to the existing ordinances regulating the unenclosed storage of boats, campers and trailers.

**Background Information:**

The Village Manager, Village Attorney and Community Development Staff proposed the attached ordinance after considering the input received from the two Committee of the Whole meetings held on August 7th and September 5th.

Since the ordinance would amend the Zoning Code, it will require a recommendation from the Plan Commission and a public hearing held in front of the Village Board.

We would like to make sure the Village Board agrees with the concepts before moving these changes forward.

**Key Issues for Consideration:**

**Action By Committee or Village Board:**

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**Attachments**

Draft Ordinance  
Map showing locations referenced in draft ordinance

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## Proposed Amendments

– Insert the following definition alphabetically to Section 122-2:

*Recreational Vehicle means* one of the following vehicles designed primarily for recreational, camping, travel, or seasonal use:

- *Motor or mobile home* - a motorized recreational vehicle containing sleeping, eating and bathroom facilities
- *Fifth-wheel trailer* – a unit affixed and towed by a pickup truck equipped with a special hitch in the truck bed.
- *Tent camper* – a unit with sides that collapse for towing and storage.
- *Travel trailer* – a unit containing sleeping facilities designed to be towed by a car, van or truck by means of bumper or frame hitch.
- *Boat* – a vessel propelled on water by oar, paddle, sail or engine.
- *Boat trailer* – a trailer designed to launch, retrieve, carry and sometimes store a boat.
- *Utility trailer* – any trailer other than a boat trailer or travel trailer pulled by a motorized vehicle.

– Rewrite Section 122-646 to state:

### **Sec. 122-646. Unenclosed storage of Recreation Vehicles.**

- (a) One recreational vehicle, without habitation, may be stored unenclosed in a Single Family District or Planned Residential Development District subject to the following conditions:
  - (1) The recreational vehicle is a minimum of 5 feet from the side or rear property line.
  - (2) Minimum street yard setback.
    - a. The recreational vehicle is stored in a location meeting the minimum street yard setback for principal uses in the zoning district the recreational vehicle is stored in.
    - b. Exception for corner lots. For corner lots, the recreational vehicle is a minimum of 5 feet from the street yard that does not have driveway access.
  - (3) The recreational vehicle is less than 35 feet in length.
- (b) No recreational vehicle may be stored unenclosed in any Multi-family Residential, Business, or Public and Semi-Public Zoning Districts.

- (c) In addition to a recreational vehicle permitted under subsection (a) above, parcels located within the R-1 Single Family Residential District, R-2 Single Family Residential District, R-3 Single Family Residential District, R-3.5 Single Family Residential District, or PRD Planned Residential Development District may store one (1) additional recreational vehicle, without habitation, unenclosed subject to the following conditions:
- (1) The recreational vehicle is located on a paved surface.
  - (2) The recreational vehicle is located a minimum of 5 feet from all lot lines.
  - (3) The recreational vehicle is less than eighteen (18) feet length, seven (7) feet in height, and ten (10) feet in width, except a boat trailer designed to carry a boat eighteen (18) feet in length or less may also be stored unenclosed meeting all other applicable conditions.
- (d) In addition to the applicable requirements of this Section, all unenclosed recreational vehicles shall be:
- (1) Well maintained, licensed and operable.
  - (2) Owned by a person residing on the parcel.
  - (3) Located in an area free of litter as defined in Section 18-371 of the municipal code.
  - (4) Located in an area free of tall grass, weeds, or other factors creating a public nuisance as described in Section 38-24 of the municipal code.
  - (5) Stored without the use of utility tarps.

– Modify Section 122-687 by deleting the crossed out text:

***Sec. 122-687. - Parking of trucks, trailers and equipment.***

- (a) No truck, commercial trailer, or other vehicular equipment of a commercial or industrial nature shall be parked regularly on a lot in any district except industrial and commercial districts, except as hereinafter specifically provided or as follows:
- (1) Agricultural equipment shall be permitted without limitation where accessory to a permitted agricultural use.
  - (2) Vehicles approved by the village board of trustees as part of a permitted home occupation.
  - (3) No more than two pick-up trucks, exceeding one ton each shall be permitted.

- (4) Unenclosed parking of a ~~mobile home, motor home, tent camper, boat, or other~~ recreational vehicle as defined in Section 122-2 of this Chapter or trailer without habitation shall be considered an accessory use, subject to the provisions of sections 122-646 and 122-622(2); ~~except that one such vehicle will be permitted on a driveway area for not more than three consecutive or ten cumulative days in any 12-month period.~~
- (b) Outside parking of personal vehicles, including pick-up trucks and passenger vans, shall only be allowed on a driveway or turnaround meeting the provisions of section 122-711.

– Modify Section 122-622(2)(a) by adding the double underlined text:

**Sec. 122-622. - Yards.**

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(2) Accessory uses and detached accessory structures.

- (a) Except for recreational vehicles regulated under Section 122-646, accessory uses and detached accessory structures are permitted in the rear yard only with no encroachment into street or side yards; shall not exceed 15 feet in height; and shall not occupy more than 20 percent of the rear or secondary street yard area.

Exception: In the secondary street yard the structure may be located no closer than the minimum street yard required for a principal structure.



# Tax Parcel Zoning

Single Family Residential Zoning (R-1, R-2, R-3, R-3.5, R-4, R-5, R-6, & PRD)

- R-1, R-2, R-3, R-3.5, PRD
- R-4, R-5, R-6



This map is provided for informational purposes only and does not constitute an official zoning map. Zoning is subject to change without notice. The map is provided as a guide only and should not be used as the sole basis for any zoning application or other zoning-related activity. The map is provided as a guide only and should not be used as the sole basis for any zoning application or other zoning-related activity.

