



City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin
53202

Meeting Minutes

ZONING CODE TECHNICAL COMMITTEE

TEODROS MEDHIN, CHAIR

Julie Wilson, Ed Richardson, and Michael Mannan

Staff Assistant, Chris Lee, 286-2232

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Legislative Liaison, Ted Medhin, 286-8680

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Monday, July 1, 2019

2:30 PM

Room 301-A, Third Floor, City Hall

Meeting convened at 2:31 p.m.

Present 4 - Medhin, Wilson, Richardson, Mannan

Individual also present:

Jeff Osterman, Legislative Reference Bureau

1. [190338](#) A substitute ordinance relating to zoning regulations for pergolas.

Sponsors: Ald. Bauman

Mr. Osterman commented. The proposed ordinance was initiated by Ald. Robert Bauman concerning a covered pergola potentially requiring review from the Board of Zoning Appeals and subject to design standards for a shed. The proposed ordinance distinguishes between an open and covered pergola and creates lesser standards for a covered pergola as opposed to the standards for a shed. A covered pergola would be excluded in lot coverage, have no setback, and have a maximum height of 10 feet. An uncovered and covered pergola is not currently defined in the zoning code. The closest definition for an open pergola is an open trellis or arbor.

Member Mannan commented. The intent of the proposed ordinance is to deregulate a covered pergola. A covered pergola should be defined, and minimum standards should be created relative to size and square footage of a lot. A covered structure, such as a covered pergola, may pose water discharge and flooding issues to adjacent neighbors.

Member Richardson commented. The lack of a definition for a covered pergola makes it undistinguishable from other covered structures, such as a car port and covered patio. Other concerns include a lack of clarity, standards, minimum setback, and a separate column for a pergola in Table 295-505-3.

Member Wilson said that the definition of a pergola was too vague and needed clarity to reduce legality concerns.

Jodi Lemmer, 4th aldermanic district, appeared and commented on behalf of the sponsor. The intent is to simplify the approval process for an uncovered and covered pergola in a residential district. The sponsor is open to find a compromise on

establishing a definition and criteria, such as requiring BOZA approval for a pergola going beyond 50 percent in lot size on a site.

Members discussed further that the proposed ordinance required further revisions beyond the committee's review, that a canopy is the most similar structure to a covered pergola, and that the definition and standards for a canopy should be included or created to be a part of the proposed ordinance in a substitute version.

Mr. Osterman said that a new version of the proposed ordinance would need to incorporate a definition, new column for Table 295-505-3, and minimum standards such as size and setback.

Member Richardson moved that the proposed ordinance meets the standard of consistency with the format of the zoning code but does not meet the standards of legality and enforceability and administrative efficiency as currently drafted; however, the proposed ordinance may meet all standards if a revised version of the proposed ordinance is created to address or incorporate canopy, a definition, a separate column for Table 295-505-3 for pergola, and minimum standards such as size and setback. There was no objection.

Meeting adjourned at 3:09 p.m.

**Chris Lee, Staff Assistant
Council Records Section
City Clerk's Office**