

## CHAPTER 18

### ACCESSORY BUILDINGS, STRUCTURES, USES AND EQUIPMENT

#### SECTION:

- 01-18-1: Purpose
- 01-18-2: All Zoning Districts
- 01-18-3: Single Family and Two Family Attached and Detached Accessory Uses
- 01-18-4: Non-Residential Uses

**01-18-1: PURPOSE:** The purpose of this chapter is to provide performance standards for the erection, siting and use of accessory buildings, structures and uses that may be allowed within the various zoning districts to ensure compatibility with the principal use and with surrounding properties, as well as to protect the general health, safety and welfare of the community.

#### **01-18-2: ALL ZONING DISTRICTS:**

- A. **Time Of Construction:** No detached accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory. Agricultural buildings on farm properties are exempt from the requirements of this Chapter.
- B. **Application:** Any structure which requires a building permit or which is thirty inches (30") or more in height shall be subject to setback, floor area and other requirements of this Article.
- C. **Administrative Approval Required:** Detached accessory buildings not exceeding one hundred twenty (120) square feet in floor area shall be allowed without issuance of a building permit, but shall comply with all other provisions of this Article. The Zoning Administrator shall review the site plan and construction drawings to determine compliance with this Article and other applicable ordinances, laws, and regulations before such buildings are constructed or moved onto property.
- D. **Building Permit Required:** Detached accessory buildings greater than one hundred twenty (120) square feet in floor area shall require a building permit. The Building Official shall review the site plan and construction drawings to determine compliance with the Building Code and other applicable ordinances, laws, and regulations.

E. **Exterior Building Standards:** Architectural details for accessory buildings are to be the same or similar as for the principal building based upon (but not limited to) the following criteria:

1. Scale and detailing.
2. Roof pitch orientation and slope.
3. Overhang depth and details.
4. Window and exterior door proportion and types.
5. Building material.
6. Exterior color.

**01-18-3: SINGLE-FAMILY AND TWO FAMILY ATTACHED AND DETACHED ACCESSORY USES:**

A. **Number of Structures:** There shall be no more than one detached accessory building on a single parcel in addition to one private garage (attached or detached).

B. **Area Limitations:**

1. **Attached Private Garages:** A private garage attached to the principal building shall not exceed one thousand (1,000) square feet as measured by interior dimensions and shall be subject to all building and setback requirements of the principal structure, except as provided for herein.
2. The combination of accessory buildings and private garages shall not exceed either of the following area limitations per unit, whichever is least.
  - a. **Single Family:** Six percent (6%) of the net lot area or one thousand one hundred fifty (1,150) square feet.
  - b. **Two Family:** Six percent (6%) of the net lot area or seven hundred fifty (750) square feet.
  - c. **Townhouse or Multiple Family:** Six percent (6%) of the net lot over
3. The floor area of an accessory structure (attached or detached) shall not exceed the floor area of the principal use.

C. **Setbacks:**

1. All attached or detached accessory buildings shall conform to district setback requirements for front yard or side yard of a corner lot. For private garages oriented so that vehicle access is directly straight in from a public alley, the building shall be set back a minimum of twenty feet (20') from the public alley right-of-way.
2. Detached accessory buildings not exceeding one hundred twenty (120) square feet in floor area:
  - a. All detached accessory buildings less than one hundred twenty (120) square feet shall be set back at least six feet (6') from any other building or structure on the same lot and shall not be located within a drainage and/or utility easement.
  - b. Such structures may encroach into the required side or rear yard setbacks when located in the rear yard of the lot, except in the case of a side yard of a corner lot abutting a public street. When encroachment into required side or rear yard setbacks is allowed, such detached accessory buildings shall be set back at least five feet (5') from all side or rear lot lines.
3. **Detached accessory buildings exceeding one hundred twenty (120) square feet in floor area:**
  - a. All detached accessory buildings in excess of one hundred twenty (120) square feet shall be set back at least ten feet (10') from any other building or structure on the same lot, and shall not be located within a drainage and/or utility easement.
  - b. Such structures may encroach into the required side or rear yard setbacks when located in the rear yard of a lot, except in the case of a side yard of a corner lot abutting a public street.
    - (1) When encroachment into required side or rear yard setbacks is allowed, such detached accessory buildings shall be set back at least ten feet (10') from all side or rear lot lines.
    - (2) In the R-4 District, detached accessory buildings shall be set back at least five feet (5') from side lot lines.

- D. **Height:** Except as allowed by conditional use permit as provided for by Section 01-17-3.C of this Article, no accessory buildings shall exceed sixteen feet (16') in height measured from the mean ground level to the uppermost point of the roof.

**E. Animal Enclosures:**

1. Notwithstanding Section 01-18-3.C of this Chapter, domestic animal enclosures shall not be placed in the front yard or in the side yards abutting a street, shall not be placed closer than ten feet (10') to any property line, and shall not be placed closer than twenty five feet (25') to any dwelling unit other than on the owner's property.
2. No encroachment shall be permitted in existing or required drainage and/or utility easements.
3. Screening and/or a hard surface will be required if problems occur with appearance, noise, odor, and sanitation as determined by the Zoning Administrator.
4. No such enclosure shall exceed one hundred twenty (120) square feet, unless approved by an administrative permit.

**F. Compost Structures And Firewood Piles:** Compost structures and firewood piles shall be considered accessory uses, shall be limited to rear yards, and shall be subject to setback, square footage and other requirements of this Article.

**01-18-4: NON-RESIDENTIAL USES:**

- A. Accessory buildings, structures, and uses for all non-residential uses shall conform to the principal use setback requirements of the base zoning district.
- B. The height of accessory buildings, structures, and uses for all non-residential uses shall conform to the height limitations for principal buildings of the base zoning district except by conditional use permit subject to the conditions of Section 01-17-3.C of this Article.