

ACCESSORY BUILDINGS DEFINITIONS - RESIDENTIAL

Accessory building: A subordinate building or structure, attached to or detached from the main building, without separate utilities or utility meters. Unless specified separately as Type A or B, the term “accessory building” shall apply to both.

Accessory building – Type A - Residential: An accessory building with enclosed space to be used as a garage for automobiles or trucks with a rating of one and one-half (1½) tons or less, living quarters, garage apartments and/or domestic storage. Any accessory building of sufficient height and with a door wide enough to facilitate the storage of passenger vehicles or trucks shall be considered a Type A accessory building. Any accessory building over twelve feet (12’) in height shall be considered a Type A accessory building. Type A accessory buildings used as living quarters, and/or having a kitchen shall only be permitted on 1 acre lots or greater in size. See Article XIV-I for the method to determine the height of an accessory building.

Accessory building – Type B - Residential: An accessory building used strictly for domestic storage, including, but not limited to, lawn mowers, riding mowers, tractors, bicycles, tools, lawn maintenance equipment, patio furniture, or structures such as carports, gazebos, greenhouses, and home workshops or home hobby shops.

Accessory building – Type A or B - Attached: A building that is directly attached to the main building, with no common access between the two buildings.

Accessory building – Type A or B - Detached: A building on the same lot as the main building but which is not structurally attached to the main building.

Article XIV-I

Accessory Buildings – Residential

Section 1 Regulations

The following regulations shall apply to accessory buildings in any residential zoning district, or on lot used for residential purposes.

- (1) Building permits are required for accessory buildings of one hundred twenty (120) square feet of floor area or larger or for any accessory building over thirteen feet (13') in height, regardless of the square footage of the building.
- (2) The height of a Type A accessory building shall not exceed the height of the main structure. The height of a Type B accessory building shall not exceed thirteen feet (13'). The height shall be measured from the lowest ground elevation within the area between the accessory building and the side or rear lot line, or when the side or rear lot line is more than five feet (5') from the accessory building, between the accessory building and a point five feet (5') from the accessory building, to the top of the highest point of the accessory building. The height of any accessory building that occupies any part of the required rear yard of a lot shall be measured from the lowest ground elevation within the area between the accessory building and the rear lot line (or, if the rear lot line is within the banks of a creek or drainage way, the lowest ground elevation reference point shall be determined by the Director of Public Works or his designee) to the top of the highest point of the accessory building. See Figure 9. Air vents, turbines, chimneys, weather vanes or other decorative devices shall not be included in the height calculation for any accessory building.
- (3) Accessory buildings may not be rented or occupied by anyone except the occupant of the main structure or family members.
- (4) Accessory buildings may not be used for any business purposes or as part of any allowable customary home occupation.
- (5) Type A accessory buildings are not permitted on a vacant lot. Type B accessory buildings are permitted on a vacant lot only if the building(s) are portable (no permanent foundation) and if the vacant lot is abutting and has the same ownership with the lot of the main dwelling structure.
- (6) On lots less than one (1) acre in size, there may be a maximum of two (2) accessory buildings placed or erected on any lot, only one (1) of which may be a Type A accessory building. (i.e., Maximum: 1-Type A and 1-Type B, or 2-Type B).

On lots one (1) acre or greater in size, there may be a maximum of three (3) accessory buildings placed or erected on any lot, only one (1) of which may be a Type A accessory building. (i.e., Maximum: 1-Type A and 2-Type B, or 3-Type B).

- (7) Garages that are attached to the main structure, regardless of common access to the main structure, shall be considered as part of the main structure, and shall not be considered as an accessory building. Carports that are attached to the side or rear of the main structure, regardless of common access to the main structure, may be considered as an accessory building if the maximum number of accessory buildings allowed per lot is not exceeded. If a carport attached to the main structure would exceed the maximum number of accessory buildings allowed on that lot, given the number of preexisting accessory buildings, the carport shall be considered as a part of the main structure, and shall not be considered as an accessory building. Carports are not permitted in front of the main structure, attached or detached. A carport attached to another accessory building shall not be considered as a separate accessory building; the carport and accessory building shall be considered to be one accessory building. A porte-cochere shall be considered as part of the main structure, and shall not be considered as an accessory building.
- (8) On lots less than one (1) acre in size, the sum of the square footage of permitted accessory buildings shall not exceed seventy-five per cent (75%) of the square footage of the first floor living area of the main structure or two thousand four hundred (2,400) square feet, whichever is less.

On lots one (1) acre or greater in size, the sum of the square footage of permitted accessory buildings shall not exceed one hundred per cent (100%) of the square footage of the first floor living area of the main structure or two thousand seven hundred (2,700) square feet, whichever is less. In addition, no single accessory building shall exceed seventy-five per cent (75%) of the square footage of the first floor living area of the main structure.

- (9) The first floor area of the main building plus the first floor area of the accessory building(s) shall not exceed fifty per cent (50%) of the area of the lot on which the buildings are situated.
- (10) Containerized storage, cargo storage, and or trailer storage shall not be permitted on residentially zoned property or property used for residential purposes, and said structures shall not be permitted as accessory buildings.

Section 2 Area Regulations

Minimum Yard Regulations – All yard regulations must be met, regardless of the size of the accessory building and regardless of whether a building permit was required for the accessory building.

- (1) Front Yard.

- (A) Type A accessory buildings which serve as a garage shall observe the same minimum front yard requirement as the main building must observe in the zoning district in which it is located, but in no instance shall any Type A accessory building be placed in front of the main structure or in the front yard. See Figures 1-8.
 - (B) All other Type A accessory buildings shall be located behind the front face of the main structure or a minimum of sixty feet (60') from the front lot line, whichever distance is greater.
 - (C) Type B accessory buildings which serve as carports shall observe the same minimum front yard requirement as the main building must observe in the zoning district in which it is located, but in no instance shall any Type B accessory building be placed in front of the main structure or in the front yard. See Figures 1-8.
 - (D) All other Type B accessory buildings shall be located behind the front face of the main structure or a minimum of sixty feet (60') from the front lot line, whichever distance is greater.
- (2) Side Yard. Unless otherwise required by applicable City codes or ordinances, the following regulations shall apply:
- (A) Interior Lot
 - (1) Type A accessory buildings shall observe the same minimum side yard requirement as the main building must observe in the zoning district in which it is located. See Figures 1-4.
 - (2) Type B accessory buildings shall not be located closer than three feet (3') to the side lot line, provided that in the case where the building has a roof, eave, or awning, the accessory building shall be located such that the roof eave or awning is a minimum of three feet (3') from the side lot line. See Figures 1-4.
 - (B) Corner Lot
 - (1) When adjacent to a side street, Type A and Type B accessory buildings shall observe the same minimum side yard requirement as the main structure must observe in the zoning district in which it is located, or in alignment with the main structure, whichever distance is greater. If the minimum side yard requirement of the zoning district is less than twenty feet (20') in depth, Type A accessory buildings which serve as garages with vehicle openings to a side street shall not be located less

than twenty feet (20') from the side lot line, or in alignment with the main structure, whichever distance is greater. See Figures 3, 4, 5 and 7.

- (2) When adjacent to a side street and screened from view from the street right-of-way behind a solid screening fence, not less than six feet (6') in height nor more than eight feet (8') in height, or live screening/hedges, five feet (5') tall or taller, Type B accessory buildings may be located no closer than three feet (3') to the side lot line, provided that in the case where the building has a roof, eave, or awning, the accessory building shall be located such that the roof, eave, or awning is a minimum of three feet (3') from the side lot line. See Figures 3, 4, 5 and 7.

(C) Corner lots having structures fronting on two (2) adjacent lot lines.

- (1) When adjacent to a side street, Type A and B accessory buildings shall observe the same minimum side yard requirement as the main structure must observe in the zoning district in which it is located, or in alignment with the main structure, whichever distance is greater. See Figures 6 and 8.
- (2) Lots shall be considered as adjacent, whether they are separated by an alley or not.

(D) Miscellaneous

Terraces, uncovered porches, platforms and ornamental features which do not extend more than three feet (3') above the ground (first) floor level of the building may project into a required side yard provided such projections may not be erected closer than two feet (2') from the side lot lines.

(3) Required Rear Yard. Unless otherwise required by applicable City codes or ordinances, the following regulations shall apply:

- (A) Type A accessory buildings shall not be located in the required rear yard. See Figures 1-4. If the required rear yard is less than twenty feet (20') in depth, Type A accessory buildings which serve as garages with vehicle openings to a street abutting the rear lot line or alley, shall not be located less than twenty feet (20') from the rear lot line.
- (B) Type B accessory buildings may not occupy more than twenty-five per cent (25%) of the total area of the required rear yard. See Figures 1-4.

(4) Rear Yard. Unless otherwise required by applicable City codes or ordinances, the following regulations shall apply:

- (A) Type B accessory buildings shall not be located closer than three feet (3') to the rear lot line, provided that where the accessory building has a roof, eave, or awning, the building shall be located such that the roof, eave, or awning is a minimum of three feet (3') from the rear lot line.
- (B) Structural supports for carports (Type B) perpendicular to the rear lot line shall not be located less than ten feet (10') from the rear lot line. Overhangs of carports shall not exceed two feet (2') beyond the structural supports or otherwise shall not be located less than eight feet (8') to the rear lot line.
- (C) Structural supports for carports (Type B) parallel to the rear lot line shall not be located closer than three feet (3') to the rear lot line, provided that where the carport has a roof, eave, or awning, the carport shall be located such that the roof, eave, or awning is a minimum of three feet (3') from the rear lot line.

Section 3 Special Requirements

- (1) Vehicle access to Type A accessory buildings must be on an improved surface from the street, alley or public way to the building in accordance with Chapter 12, Article XIV of the Code of Ordinances.
- (2) Type A accessory buildings shall be built with 100% brick veneer or masonry exterior finish, and roofing material consistent with that of the main building. This requirement also applies to carports in terms of brick veneer for columns or supporting structures, and roofing materials consistent with that of the main structure. A mansard roofing treatment with materials consistent with that of the main structure may be substituted in lieu of the entire roof deck such that the roof deck is screened from public view at ground level from public streets and rights-of-way. If the main structure is not of 100% brick veneer or masonry exterior construction, the Type A accessory building shall be built to an architectural standard consistent with the main structure in terms of exterior wall coverings and roofing.

Additions or alterations to existing Type A accessory buildings shall be constructed to an architectural standard consistent with the existing accessory building in terms of siding and roofing.

- (3) Type B accessory buildings, including carports, four hundred (400) square feet or less shall be built with materials that are durable and resistant to deterioration. Profiled panels, deep ridge panels and concealed fastener systems are permitted. All vertical and horizontal structural members of carports shall be of 14 gauge steel or aluminum. Vertical supporting members shall be a minimum of three inches (3") in diameter for circular posts or three inches by three inches (3"x 3") for tubular posts. Low or single pitch carport roofs shall be of maintenance free materials (minimum 26 gauge steel or aluminum). Exterior finish for metal materials shall be baked enamel finish or painted to the manufacturer's

specifications; unpainted metal finish is prohibited. The use of corrugated metal, plastic, or fiberglass panels is prohibited.

- (4) Type B accessory buildings over four hundred (400) square feet shall be built with 100% brick veneer or masonry exterior finish, and roofing material consistent with that of the main building. This requirement also applies to carports in terms of brick veneer for columns or supporting structures, and roofing materials consistent with that of the main structure. A mansard roofing treatment with materials consistent with that of the main structure may be substituted in lieu the entire roof deck such that the roof deck is screened from public view at ground level from public streets and rights-of-way. If the main structure is not of brick or masonry exterior construction, the Type B accessory building shall be built to an architectural standard consistent with the main structure in terms of exterior wall coverings and roofing. Greenhouses and gazebos are exempt from this requirement.

Additions or alterations to existing Type B accessory buildings shall be constructed to an architectural standard consistent with the existing accessory building in terms of siding and roofing.

Section 4. Appeal for Special Exceptions

- (1) Type A accessory buildings constructed on lots greater than one-half acre shall be constructed in compliance with Article XIV-I Sections 1(2), (6) and (8) in terms of maximum height, square footage and number of allowed accessory buildings, and all other applicable sections with the exception of Section 3(2), as provided within this Section.
- (2) A Special Exception from the requirements of Article XIV-Section 3(2), may, upon application of the property owner, be considered by the Zoning Board of Adjustment based on findings that the placement, size, materials, foundation and exterior wall (elevation) colors, earth tones preferred, are compatible with the surrounding neighborhood; and, such accessory building shall not otherwise be deleterious to the general health, safety and welfare based on, including but not limited to, the following criteria:
 - (A) Exterior wall coverings shall consist of architecturally compatible, maintenance free materials other than the materials of the main structure. If made from metal construction, either siding or roof shall be constructed of 26-gauge steel or aluminum profiled panels [or other maintenance free materials as approved by the Building Official].
 - (B) Exterior finish for metal materials used in the construction of Type A accessory buildings shall be of a baked enamel finish or painted to the manufacturer's specifications.

- (C) Type A accessory buildings shall be limited to thirteen (13) feet in height and limited to 50% of the square footage of the living space of the main structure.
 - (D) Type A accessory buildings shall be constructed on an approved concrete foundation.
 - (E) Type A accessory buildings constructed on lots greater than 1/2-acre shall observe the same side, front and rear yard setbacks required in Article XIV-I, Section 2.
 - (F) Type A accessory buildings when used as a garage, shall have access from a street, alley or public way and such access shall be constructed in compliance with Article XIV-I, Section 3(1).
 - (G) Type A accessory buildings constructed under a Special Exception to Section 3(2) shall not be finished, used or maintained for human occupancy.
 - (H) Type A accessory buildings shall be screened from adjacent properties and public streets by means of a solid screening fence a minimum of six (6) feet in height.
 - (I) Unless otherwise specified in the terms of a Special Exception, all other requirements of ordinance sections pertaining to Type A accessory buildings shall remain in effect, subject to any special conditions.
- (3) The Board shall hear any request for Special Exceptions upon due consideration of the circumstances and compatibility with surrounding properties, architectural design and creativity, comments received from adjacent and nearby property owners, and the public health, safety and welfare, grant or deny the same, with or without conditions.
- (A) Initiation of a request for a Special Exception may be made upon application by the property owner of the affected property or their authorized agent.
 - (B) Once an application for a Special Exception request has been received and the application deemed complete, the Building Official shall review the application, and prepare a report to the Zoning Board of Adjustment.
 - (C) The Zoning Board of Adjustment shall hold a Public Hearing for consideration of the Special Exception request no later than 45 calendar days after the date the application is filed.
 - (D) Written notice of the Public Hearing for a Special Exception shall be provided as set forth in Article XVII of this Code.
 - (E) The applicant may appear at the hearing in person or by agent or attorney.

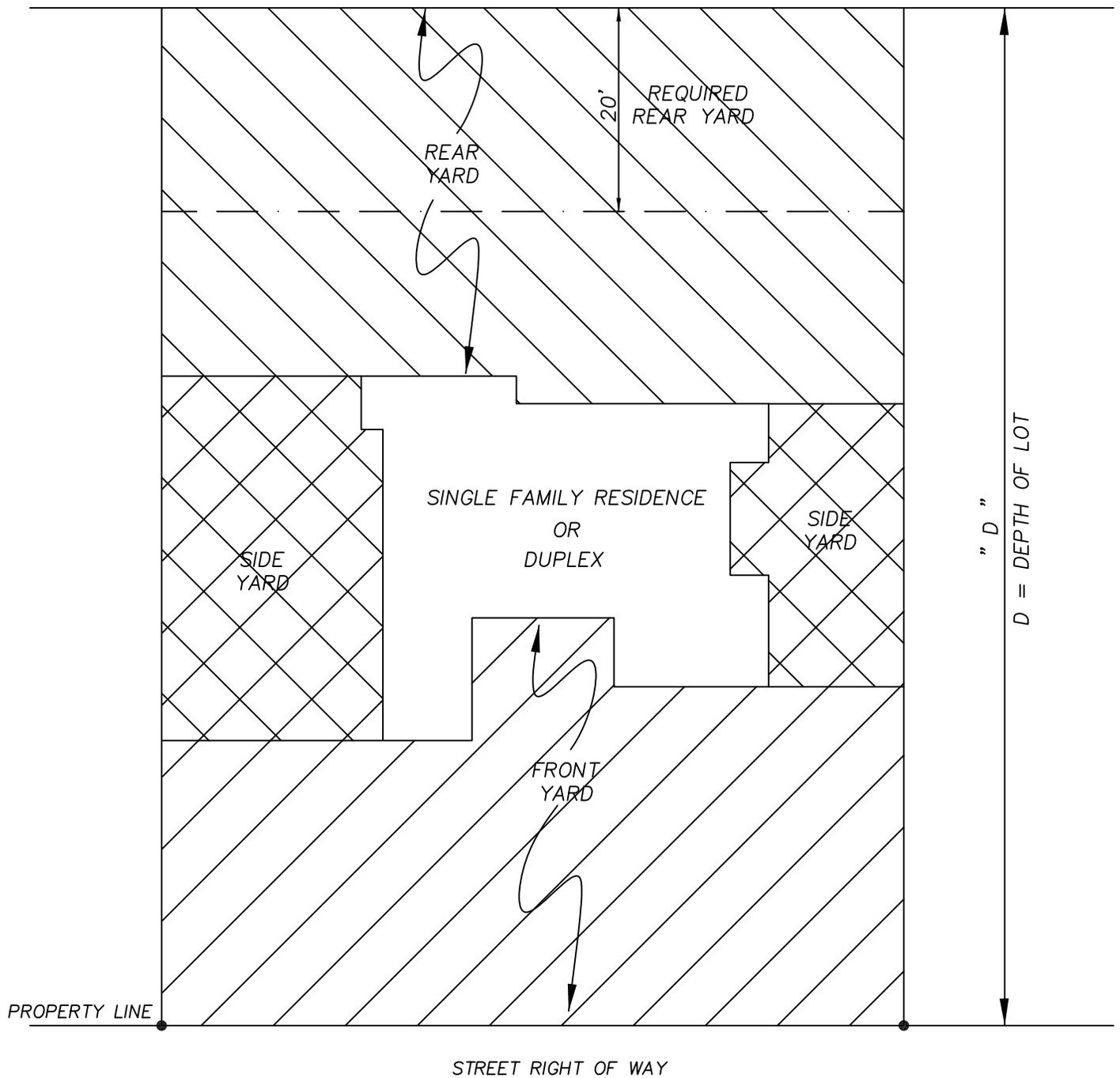


FIGURE # 1
FRONT, SIDE, REAR YARD
TYPICAL LOT

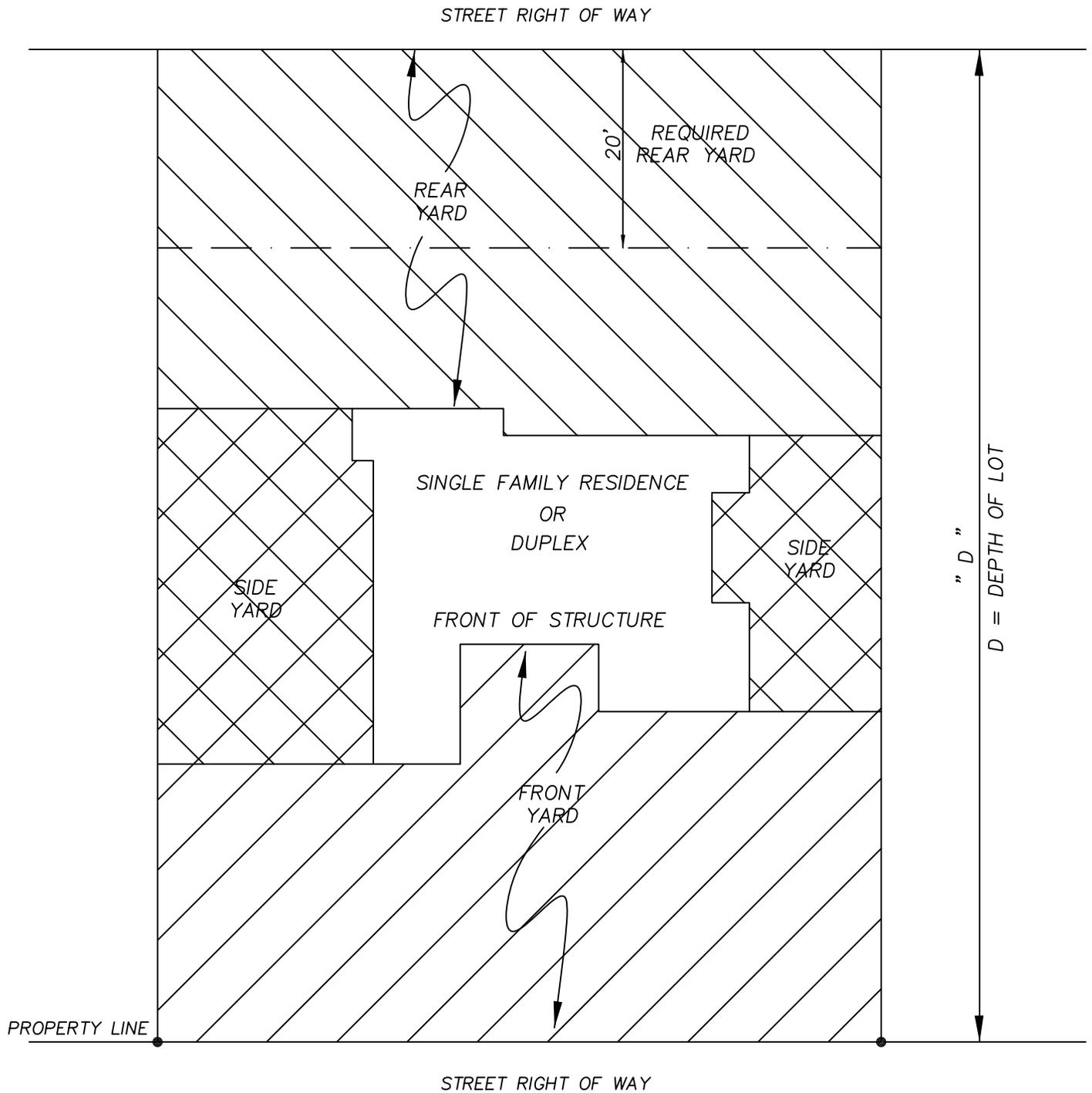


FIGURE # 2
 FRONT, SIDE YARDS
 LOT WITH DOUBLE FRONTAGE,
 RUNNING FROM ONE STREET TO ANOTHER

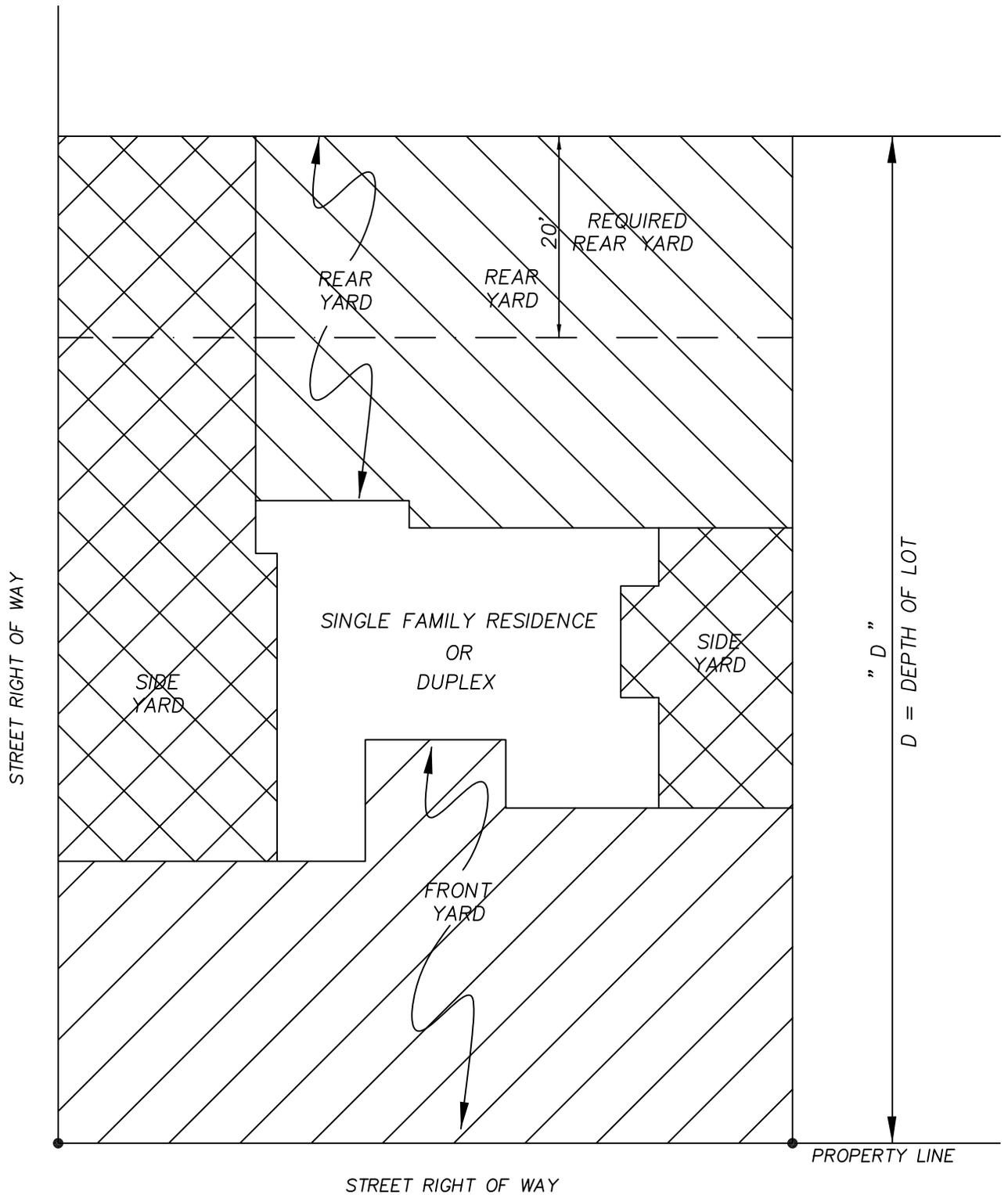


FIGURE # 3
 FRONT, SIDE, REAR YARDS
 CORNER LOT

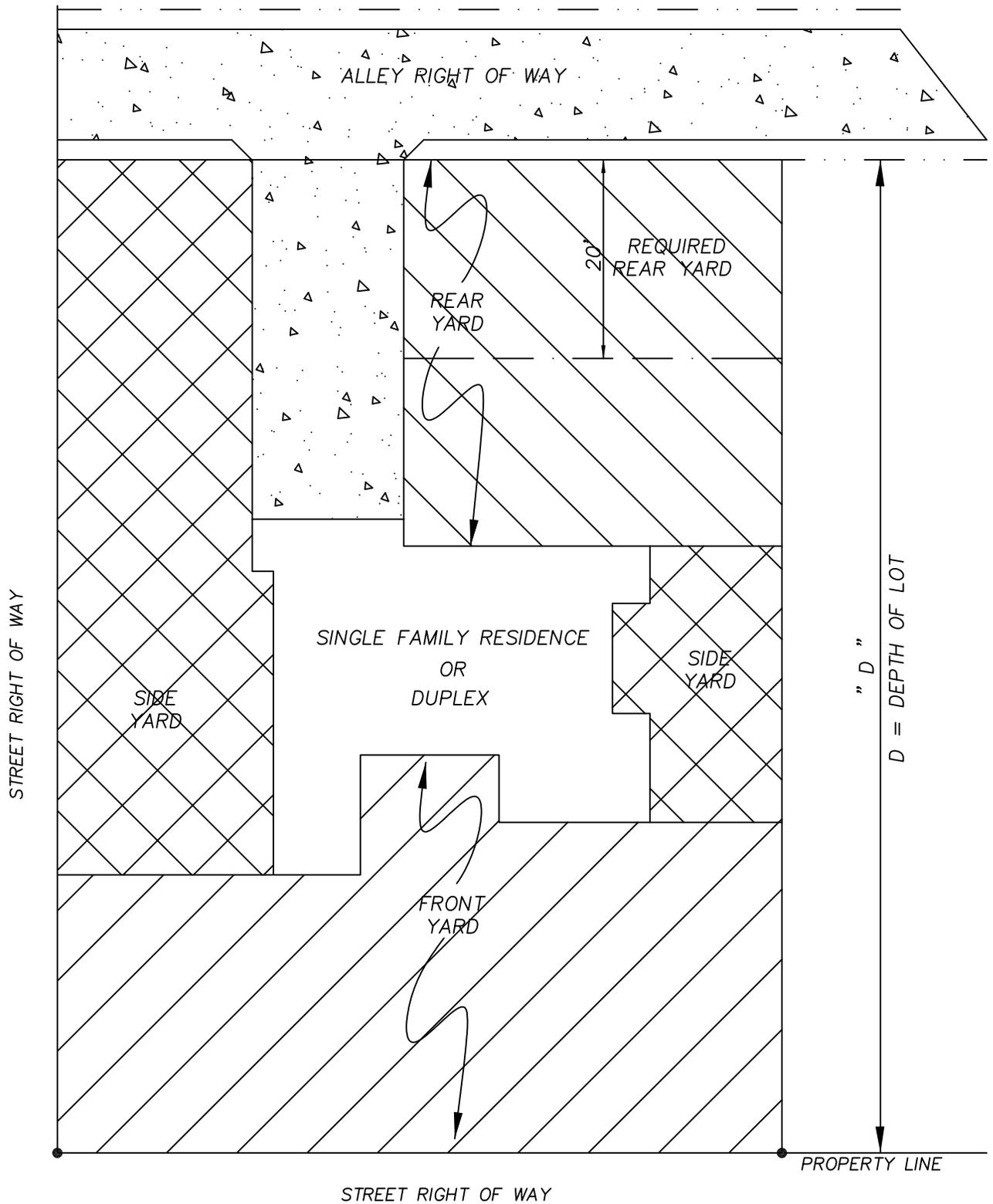


FIGURE # 4
 FRONT, SIDE, REAR YARDS
 CORNER LOT
 WITH REAR ALLEY ACCESS

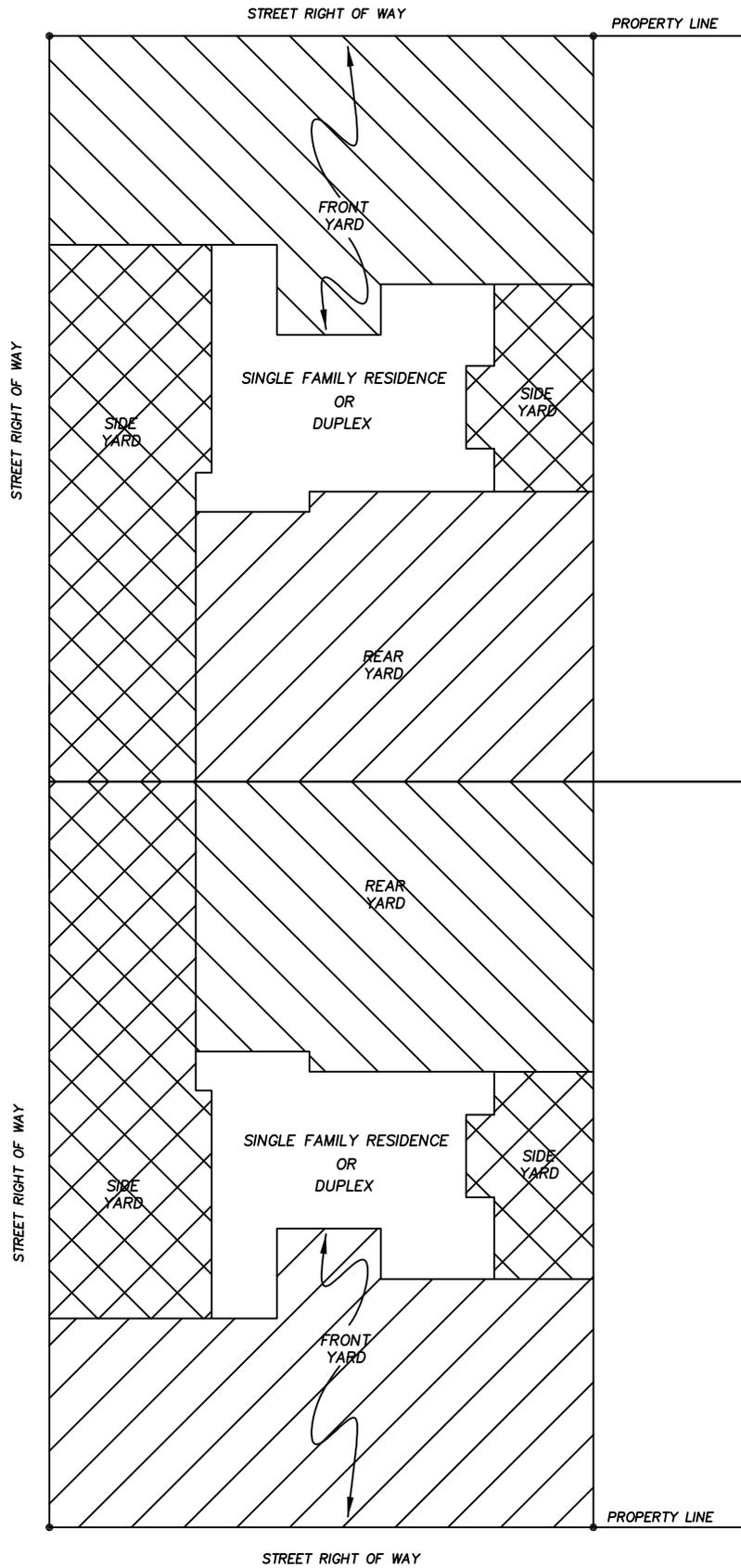


FIGURE # 5
 FRONT, SIDE, REAR YARDS
 CORNER LOT

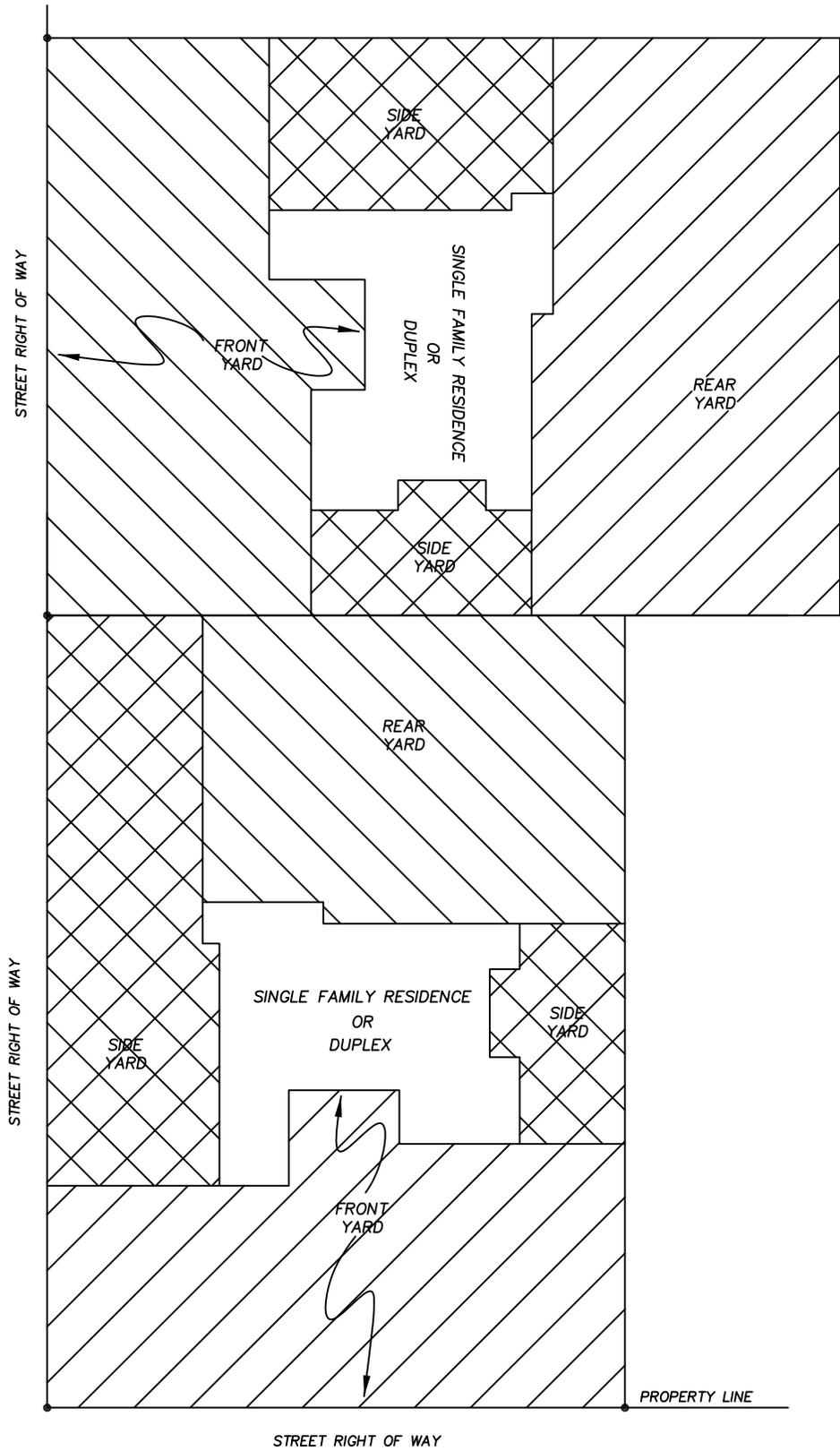


FIGURE # 6
 FRONT, SIDE, REAR YARDS
 CORNER LOT

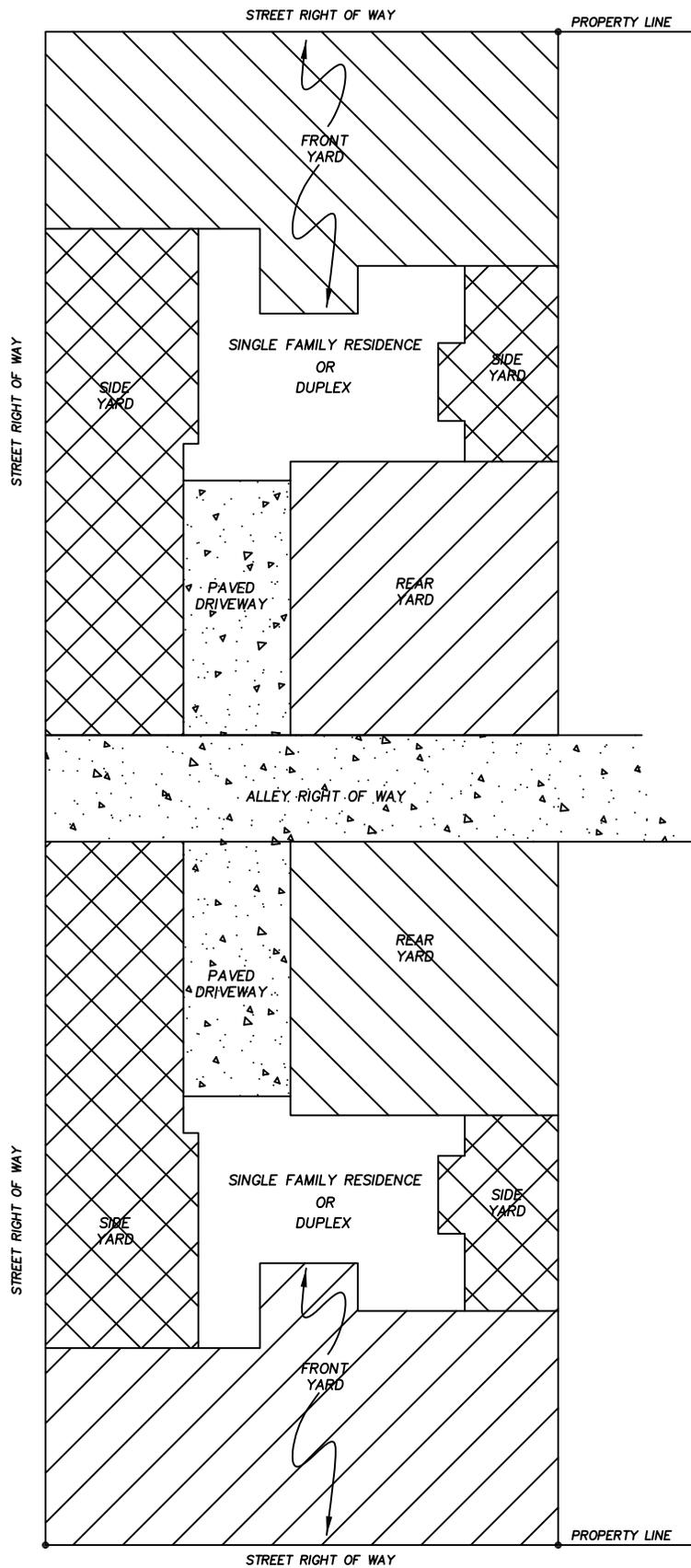


FIGURE # 7
 FRONT, SIDE, REAR YARDS
 CORNER LOT
 WITH REAR ALLEY ACCESS

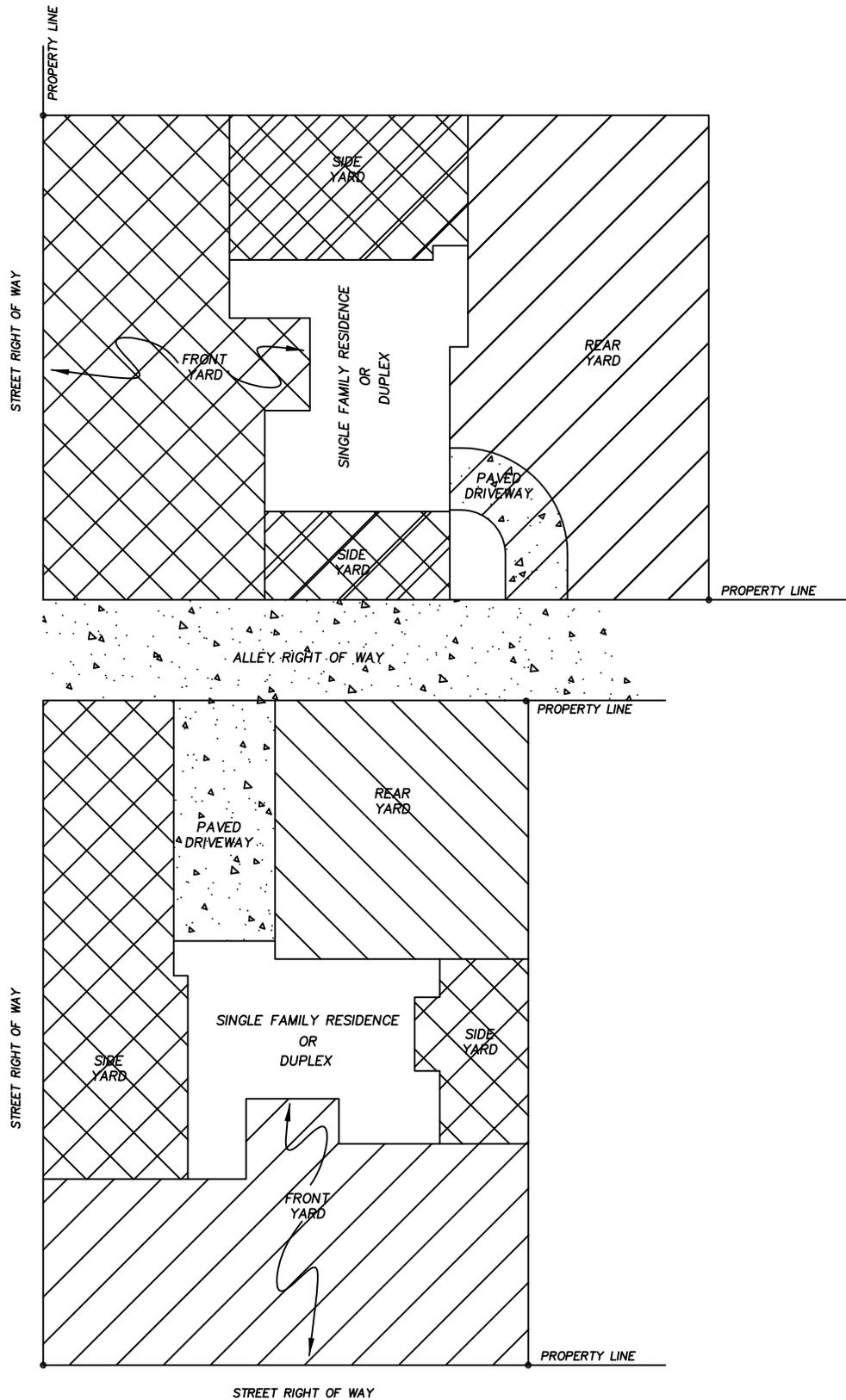


FIGURE # 8
 FRONT, SIDE, REAR YARDS
 CORNER LOT
 WITH REAR ALLEY ACCESS

CALCULATE 12' HEIGHT REQUIREMENT FROM LOWEST POINT BETWEEN LOT LINE AS SHOWN AND THE ACCESSORY BLDG.

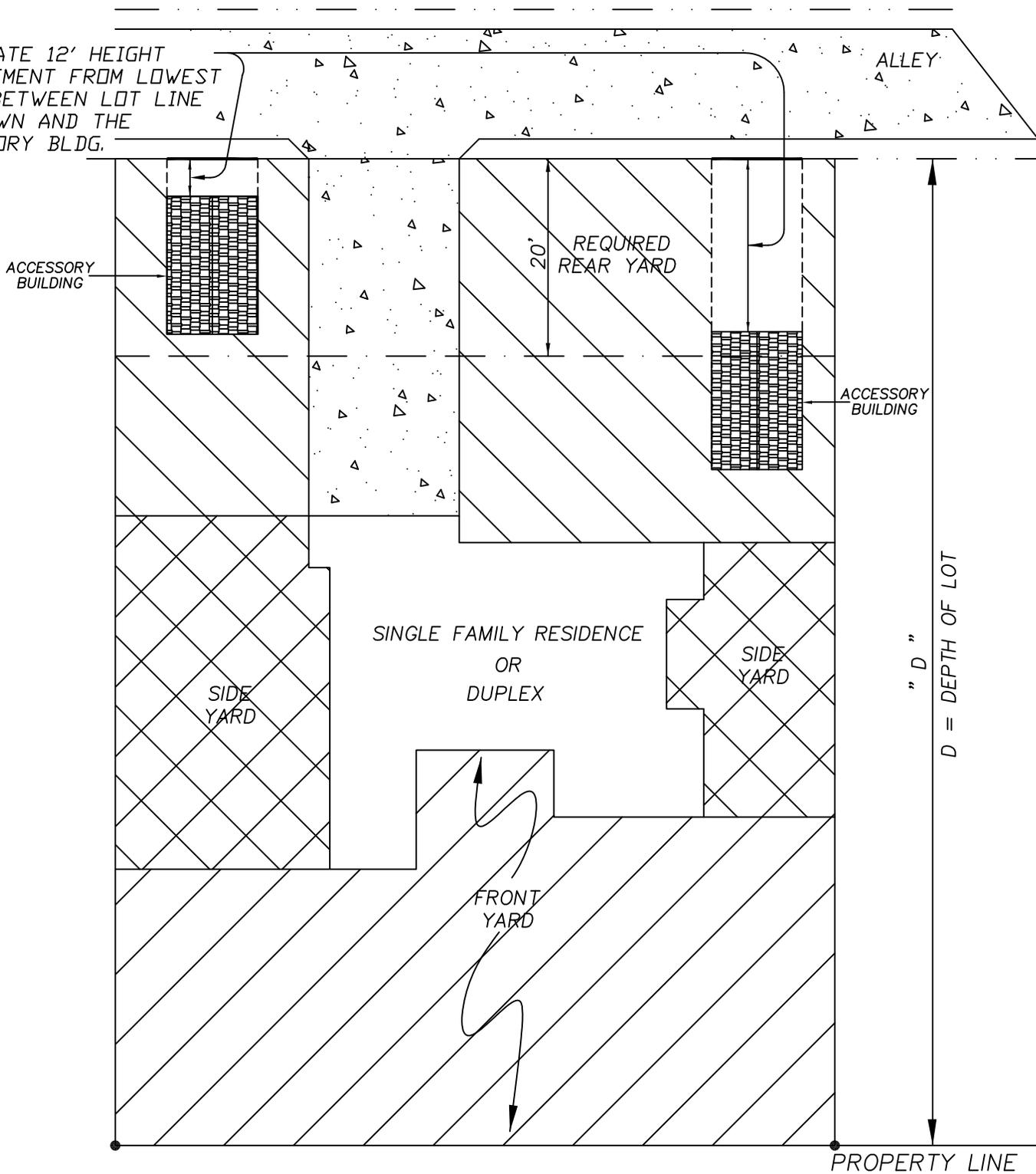


FIGURE # 9

BASIS OF HEIGHT CALCULATION FOR ACCESSORY BUILDINGS PARTIALLY OR TOTALLY IN REQUIRED REAR YARD, WITH OR WITHOUT REAR ALLEY ACCESS