

Article K: Accessory Uses and Structures; Fences; Trees

Sec. 13-1-140 Accessory Uses or Structures.

- (a) **Principal Use to be Present.** An accessory use or structure in any zoning district shall not be established prior to the principal use or structure being present or under construction. Any accessory use or structure shall conform to the applicable regulations of the district in which it is located, except as specifically otherwise provided.
- (b) **Placement Restrictions — Residential District.** An accessory use or structure in a residential district may be established subject to the following regulations:
- (1) **Accessory Building Number Limits.** In any residential district, in addition to the principal building, a detached garage or attached garage and one (1) additional accessory building may be placed on a lot.
 - (2) **Attached Accessory Building Limits.** No attached accessory building or structure shall exceed the height of the principal building or structure. All accessory buildings which are attached to the principal building shall comply with the yard requirements of the principal building.
 - (3) **Detached Accessory Buildings.** No detached accessory building (non-garages) shall occupy any portion of the required front yard, and no detached accessory building shall occupy more than forty percent (40%) of the required rear yard (whichever is more restrictive), or be located within three (3) feet of any other accessory building or rear or side lot line or within five (5) feet of an alley. An accessory building shall not be nearer than ten (10) feet to the principal structure unless the applicable building code regulations in regard to one (1) hour fire resistive construction are complied with. In no event can the accessory uses or structures be forward of the front line of the principal structure. No residential detached accessory building shall exceed twenty (20) feet in height.
 - (4) **Attached Garages.** Attached garages shall comply with the dimensional requirements of the zoning district in which located. Attached garages shall comply with the setback requirements applicable for principal structures on the lot.
 - (5) **Detached Garages.** Detached garages are permitted in the rear yard and side yards only. They shall not exceed the area requirements found in the standards for each zoning district and the roof pitch shall not exceed the steepest pitch of the principal structure. The total lot coverage shall not exceed the total allowed as set forth in the zoning district where the garage will be located. Total lot coverage shall include all buildings located on the lot. Detached garages shall not be located nearer than three (3) feet to a rear or side yard or within five (5) feet of an alley.
- (c) **Use Restrictions—Residential Districts.** Accessory uses or structures in residential districts shall not involve the conduct of any business, trade or industry except for home occupations as defined herein and shall not be occupied as a dwelling unit.

- (d) **Placement Restrictions—Nonresidential Districts.** An accessory use or structure in a business or manufacturing district may be established in the rear yard or side yard only and shall not be nearer than five (5) feet to any side or rear lot line, be within five (5) feet of an alley, or exceed thirty-five (35) feet in height.
- (e) **Reversed Corner Lots.** When an accessory structure is located on the rear of a reversed corner lot, it shall not be located beyond the front yard required on the adjacent interior lot to the rear, nor nearer than three (3) feet to the side line of the adjacent structure.
- (f) **Landscaping and Decorative Uses.** Accessory structures and vegetation used for landscaping and decorating may be placed in any required yard area. Permitted structures and vegetation include flag poles, ornamental light standards, lawn furniture, sun dials, bird baths, trees, shrubs and flowers and gardens.
- (g) **Temporary Uses.** Temporary accessory uses such as real estate sale field offices or shelters for materials and equipment being used in the construction of the permanent structure may be permitted by the Zoning Administrator.
- (h) **Garages in Embankments in Front Yards.** Where the mean natural grade of a front yard is more than eight (8) feet above the curb level, a private garage may be erected within the front yard, provided as follows:
 - (1) That such private garage shall be located not less than five (5) feet from the front lot line;
 - (2) That the floor level of such private garage shall be not more than one (1) foot above the curb level; and
 - (3) That at least one-half (1/2) the height of such private garage shall be below the mean grade of the front yard.
- (i) **Outdoor Lighting.** Outdoor residential lighting installations shall not be permitted closer than three (3) feet to an abutting property line and, where not specifically otherwise regulated, shall not exceed fifteen (15) feet in height and shall be adequately shielded or hooded so that no excessive glare or illumination is cast upon the adjoining properties.
- (j) **Lawn Accessories.** Walks, drives, paved terraces and purely decorative garden accessories such as pools, fountains, statuary, flag poles, etc., shall be permitted in setback areas but not closer than three (3) feet to an abutting property line other than a street line.
- (k) **Retaining Walls.** Retaining walls may be permitted anywhere on the lot, provided, however, that no individual wall shall exceed three (3) feet in height, and a terrace of at least three (3) feet in width shall be provided between any series of such walls and provided further that along a street frontage no such wall shall be closer than three (3) feet to the property line.
- (l) **Agricultural Structures.** Agricultural structures such as barns, silos and windmills shall not exceed in height twice their distance from the nearest lot line.

Sec. 13-1-141 Outside Storage of Firewood.

- (a) No person shall store firewood in the front yard on residentially zoned property, except that firewood may be temporarily stored in the front yard for a period of thirty (30) days from the date of its delivery.