

SEC. 17.1.140 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. (amended ord. 4-03, dated 7/14/03) In any residential district a principal building and one attached or detached garage is allowed. Detached garages are not to exceed 1200 square feet in area and shall be less than fifteen (15) feet in height.

(2) Accessory Building size Limits. (amended ord 4-03, dated 7/14/03) In addition to the garage permitted in 10-1-140(b)(1) above, two additional accessory buildings are permitted, not to exceed 900 square feet in area and 300 square feet in area respectively. Accessory buildings shall be less than fifteen (15) feet in height.

(3) Attached Accessory Buildings. All accessory buildings which are attached to the principal building shall comply with the yard requirements of the principal building.

(4) Detached Accessory Building. No detached accessory buildings shall occupy any portion of the required front yard, and no detached accessory building shall occupy more than percent (30%) of the required rear yard or be located within five (5) feet of any other accessory building or lot line. 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.

(c) **Use Restrictions - Residential District.** 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 and shall not be nearer than three (3) feet to any side or rear lot line.

(e) **Reversed Comer lots.** When an accessory structure is located on the rear of a reversed comer 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 Yard.** 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 lighting installations shall not be permitted closer than three (3) feet to an abutting property line and, where not specifically otherwise related, 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 where on the lot, provided, however, that no individual wall shall exceed six (6) 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.

