

TITLE FIVE--Accessory Use and Structural Requirements

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CHAPTER 1152
General Requirements

- 1152.01 Attached accessory buildings structures.** **1152.02 Detached accessory buildings.**

1152.01 ATTACHED ACCESSORY BUILDINGS AND STRUCTURES.

Accessory buildings and structures attached to principal buildings shall be located pursuant to the requirements for principal buildings of Title Four.

1152.02 DETACHED ACCESSORY BUILDINGS.

In all districts, except as specified in each district, accessory uses and structures shall be subject to the following requirements:

- (a) **Time of construction.** No accessory building or use shall be constructed or established prior to the start of construction of the principal building or use to which it is accessory.
- (b) **Setback from property lines and location within yards.** Accessory structures shall be separated from lot lines and located within yards in compliance with the following requirements:
 - (1) In R districts, an accessory building shall not be located closer than five (5) feet to a rear or side lot line. (An accessory building may not be located within a front yard.) An accessory building may be located to within three (3) feet of a rear or side lot line if the following conditions are met:

- A. Any projection from the building such as eaves shall be located no less than three (3) feet from the rear or side lot line;
 - B. Exterior walls located closer than five (5) feet to a rear or side lot line shall not have less than a one (1)-hour fire-resistive rating, rated for exposure from both sides; and
 - C. No openings such as windows or doors shall be placed in the wall or portions of walls located within five (5) feet of the rear or side lot line.
- (3) An accessory structure for a zero lot line dwelling shall not be located within the required 10 foot side yard.
 - (4) When a garage has access perpendicular to an alley as to require backing directly into the alley, it shall not be located closer than 10 feet to the alley.
(Ord. 04-71. Passed 3-9-04.)
- (c) **Location of accessory buildings and structures within specified yards.** The following buildings and structures may be located within the required yards specified, subject to the special conditions indicated.
- (1) **Accessory buildings.** Accessory buildings may be located within a side or rear yard, provided they shall comply with all other requirements of this chapter.
 - (2) **Canopy, gas pump island.** Unenclosed canopies over gas pump islands may be located within the required front yard or side yard, provided at street intersections, the supports shall not be located within a triangular area two (2) of its sides 30 feet in length and measured along the curb lines (or pavement edge where curbs do not exist) from the point of intersection.
 - (3) **Dog runs.** Dog runs constructed solely for the purpose of confining dogs for exercising and feeding may be located in any yard, provided that in an R district, they shall not be located in the front yard or side yard nor closer than five (5) feet to the rear lot line.
 - (4) **Fences and hedges.** Fences and hedges may be located in any yard subject to the requirements of Chapter 1156.
 - (5) **Ornamental features.** Light fixtures, flag poles, arbors, trellises, fountains, sculptures, plant boxes, plants, trees, and other similar ornamental features may be located within any yard. However, at street intersections, no ornamental feature more than two and one-half feet (2.5) feet in height above the curb level shall be located within a triangular area two (2) of its sides 30 feet in length and measured along the curb lines (or pavement edge where curbs do not exist) from the point of intersection.
 - (6) **Parking, off-street.** Except as otherwise provided in Chapter 1153, open off-street parking may be located within any yard.
- (7) **Decks and stoops, uncovered.** Porches, balconies, decks and stoops which are uncovered, may extend into any yard, provided that such projections shall not extend into a front yard more than eight (8) feet. Stoops may extend into a side yard not more than two (2) feet.
 - (8) **Signs.** Signs may only be located within a yard according to the provisions of

Chapter 1155.

- (9) **Swimming pools and hot tubs.** Swimming pools and hot tubs with a depth of 18 inches or more may be located in any yard, provided that in an R district they shall not be located in a front yard and shall not be located closer than 10 feet to a side or rear lot line.
- (10) **Telephones, coin operated.** In C, M, and DMC districts, coin operated telephones may be located within any yard.
- (11) **Windows.** Bay windows and similar projecting windows may extend into any yard, provided in an R district, they shall not be closer than three (3) feet to a side lot line.
- (12) **Skywalks.** In the DMC district, skywalks for pedestrian access over private property and over public streets, when approved by the Department of Community Development, may be located within any yard.
- (13) **Public Transportation Area.** In the DMC district, public transportation areas may be located within any yard.
- (d) **Setback from principal building.** No accessory building shall be located closer than six (6) feet to the principal building.
- (e) **Maximum rear yard coverage.** In R districts, accessory buildings shall not occupy more than 25 percent of the rear yard.
- (f) **Maximum height.** The height of accessory structures shall not exceed the following:
 - (1) In R districts, an accessory building or structure shall not exceed a height of 16 feet, except for the following:
 - A. Electronic receiving antenna.
 - B. Public utility.
 - (2) In all districts except R districts and except for fences and signs, an accessory structure may be of any height, provided it does not exceed the height permitted for a principal building.