

CHAPTER 303 ACCESSORY USES AND STRUCTURES

303.01 Accessory Uses and Structures
Permitted

303.02 Development Standards

303.03 Swimming Pools

303.04 Satellite Dish Antennas

303.05 Towers, Antennas, and
Similar Structures
Excluding Satellite Dish
Antennas

CROSS REFERENCES

Ch. 304 Landscaping and Buffering

303.01 ACCESSORY USES AND STRUCTURES PERMITTED

Unless otherwise specified, accessory uses and structures shall be permitted on a lot in a residential zoning district and PUD District in association with a residential principal use or structure, except where otherwise noted, provided the accessory use or structure meets the requirements of this chapter and the development standards of the applicable zoning district.

For the purposes of this chapter the following shall apply:

1. Garages, porches, decks, and other similar features that are physically attached to a dwelling structure shall not be considered accessory structures.
2. Decks located within ten (10) feet of the principal building shall not be considered accessory structures, this requirement superseding Sec. 303.02 (A), but must meet all required yard setbacks.

303.02 DEVELOPMENT STANDARDS

The following development standards do not apply to swimming pools; satellite dish antennas; and towers, antennas, and similar structures. Please see each section below for appropriate development standards.

- A. Location. Accessory uses and structures shall be located completely to the rear of the principal structure and shall be no closer than ten (10) feet from any part of the principal structure. Accessory uses and structures shall be no closer than five (5) feet to any rear and side property line. Accessory uses and structures shall not be located within a recorded easement.
- B. Quantity. A lot in a residential zoning district and residential portion of a planned district shall not contain more than two (2) accessory structures. A second accessory structure of the same purpose (i.e., a second storage barn, a second swimming pool, etc.) may not be constructed without first securing Variance approval from the Board of Zoning Appeals. The additional structure may only be permitted as a conditional use with the approval of the Board of Zoning Appeals.¹ The area of accessory structures must meet the area requirements of Subsect. D herein.
- C. Exterior. In order to protect property values and encourage neighborhood stability an accessory structure shall have an exterior which meets these standards and is compatible in appearance to the principal residential structure

Zoning
Text
Change

Feb. 15,

¹ Text Amendment approved by Board of Trustees on Feb. 15, 2000 in Resolution #2000-28 following hearing and approval by Zoning Commission on January 24, 2000.

on the parcel or lot. Compatibility shall be determined based upon the following criteria: exterior building materials, color, architecture, roof style, and siding.

D. **Area.**² The maximum permitted area of an accessory structure placed on a lot in a residential zoning district shall be based on the following lot categories on which the accessory structure is to be located.

1. **Lot Size Two (2) Acres or Less.** An accessory structure shall be no larger than one thousand two-hundred (1,200) square feet, shall contain no more than one (1) story nor shall it exceed a total height of twenty-two (22) feet as measured from the floor to the top of the roof with a minimum roof pitch of 4:1, and no door serving the accessory structure shall exceed fourteen (14) feet in height.
2. **Lot Size Over Two (2) Acres But Less Than Four (4) Acres.** An accessory structure shall be no larger than one thousand four-hundred (1,400) square feet and shall not exceed a height of twenty-two (22) feet as measured from the floor to the top of the roof with a minimum roof pitch of 4:1 and no door serving the accessory structure shall exceed 14 feet in height.
3. **Lot Size Four (4) or More Acres.** An accessory structure shall be no larger than two thousand (2,000) square feet and shall not exceed a height of twenty-two (22) feet as measured from the floor to the top of the roof with a minimum roof pitch of 4:1 and no door serving the accessory structure shall exceed 14 feet in height.

E. **Maintenance.** Accessory uses and structures shall be maintained in good condition and kept secure from the deteriorating effect of natural elements.

| Size of Lot | Maximum Square Footage | Maximum Height to Peak of Roof | Roof Pitch | Maximum Door Height |
|--------------------------------|------------------------|--------------------------------|------------|---------------------|
| Under (2) two Acres | 1,200 square feet | 22 feet | 4:1 | 14 feet |
| Over (2), under (4) four Acres | 1,400 square feet | 22 feet | 4:1 | 14 feet |
| Over (4) four Acres | 2,000 square feet | 22 feet | 4:1 | 14 feet |

² Text Amendment approved by Board of Trustees on Feb 15, 2000 in Resolution #2000-28 following hearing and approval by Zoning Commission on January 24, 2000.

303.03 SWIMMING POOLS

No private swimming pool, above or below ground, shall be allowed in a residential zoning district except as an accessory use, meeting the requirements of Ch. 303.02(B) relative to quantity and unless such private swimming pool has received a Certificate of Zoning Compliance and provided such pool complies with the following conditions and requirements. Portable above ground swimming pools that are less than twelve (12) feet in diameter and one hundred (100) square feet in area are excluded from these regulations.

1. The pool is intended and used primarily for the enjoyment of the occupants of the principal use of the property.
2. The pool shall be located to the rear of the principal structure and may not be located closer than ten (10) feet to any lot line of the property on which it is located.

3. **Controlled Access Required**³:

- a. *An in-ground pool, or the entire yard in which such in-ground pool is located, shall be enclosed by a fence with a minimum height of sixty inches (60") with a gate or locking device to prevent uncontrolled access by means other than through the gate from the street and from adjacent properties.*
- b. *All above-ground pools shall have either the sixty inches (60") fencing/barrier requirements of section 303.03(3a) above or a removable and/or lockable ladder device to prevent uncontrolled access by means other than through the gate or ladder from the street and from adjacent properties.*

Zoning
Text
Change

Dec. 5, 2000

4. Any lighting to illuminate the pool area shall be so arranged as to deflect the light away from the adjoining properties.
5. No person, firm or corporation shall construct or install a swimming pool or make any alteration therein or in the appurtenances thereof without having received an approved Certificate of Zoning Compliance from the Zoning Administrator.

In a multi-family or manufactured home development, a pool shall be permitted as an accessory structure and shall meet all of the above requirements.

³ Text Amendment approved by Board of Trustees on December 5, 2000 in Resolution #2000-182 following hearing and approval by Zoning Commission on November 20, 2000.