

Sec. 58-26. Accessory buildings.

Accessory buildings may be erected in any residential zoning district only as an accessory to the existing residence (which includes being built simultaneously with the construction of the residence), except as otherwise permitted in this chapter, and shall be limited to two per parcel unless approved by the planning commission. In considering such authorization the planning commission shall consider the following standards: the intended use for the building(s); the size, proposed location, type and kind of construction and general architectural character of the building; the type and kind of principal and accessory buildings and structures located on properties which are adjoining and in the same neighborhood; whether the building(s) will affect the light and air circulation of any adjoining properties; whether the building(s) will adversely affect the view of any adjoining property; and the extent the building(s) absorb(s) required yards and other open spaces. The maximum height of an accessory building shall not be more than two stories or 35 feet from ground to top of roof, but may never exceed the height of the main principal building. Accessory buildings shall be subject to the following:

- (a) *Detached accessory buildings/location.* Detached accessory buildings shall be located in the rear yard (except as provided in subsection (d) hereinafter). Detached buildings 120 square feet and smaller shall be not less than three feet from rear and side property lines. All detached accessory buildings larger than 120 square feet (see subsection 58-12(f)) shall not be located less than ten feet to the rear and side lot lines for parcels with public sewer or 12 feet to the rear and side lot lines for parcels without public sewer.
- (b) *[Principal building required.]* Accessory buildings may not be constructed, or if constructed may not remain, on a parcel without a principal dwelling. The zoning administrator shall have the authority to grant a temporary exception to this prohibition, subject to reasonable conditions, if the zoning administrator finds that the temporary exception is consistent with the purposes of this chapter.
- (c) *Size and height of accessory buildings.* The permitted accessory building(s) shall be subject to a maximum aggregate size restriction of 960 square feet in area, but at no time can the accessory structure(s) total square footage exceed 75 percent of the main principal building footprint without first being authorized by the planning commission. In considering such authorization, the planning commission shall consider the standards listed in paragraph one of this section.
- (d) *[Exception.]* If the accessory building is integrated into the permitted principal building, it shall not be considered an accessory building, but an attached garage, and shall therefore comply in all respects with the requirements of this chapter that apply to the permitted principal building, including, but not limited to, setback requirements, unless specifically stated to the contrary herein. The term integrated shall mean that the accessory building shares a common wall with the principal building, or is connected by an enclosed breezeway. An attached garage shall be no larger than the main principal building footprint without first being authorized by the planning commission. The planning commission will consider the standards as defined in subsection (c) above.
- (e) *Distance between buildings.* The distance between a detached accessory building and the main principal building shall not be less than six feet (foundation to foundation). Accessory buildings shall be considered attached to the principal building when the distance between the two buildings is solidly covered by a breezeway, portico, covered colonnade or similar architectural device.
- (f) *Accessory buildings; waterfront.* An accessory building may be constructed, erected and placed in the front yard of any waterfront lot if it is an accessory building and if it is approved by staff.
- (g) *Permit required.* No accessory building larger than 200 square feet shall be erected, constructed or installed prior to the issuance of a building permit.