CHAPTER 157

GARAGES, ACCESSORY BUILDING REGULATIONS

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157.01 ENFORCEMENT OFFICER. The Compliance Officer is responsible for the enforcement of this chapter.

157.02 DEFINITIONS. For use in this chapter, the following terms are defined.

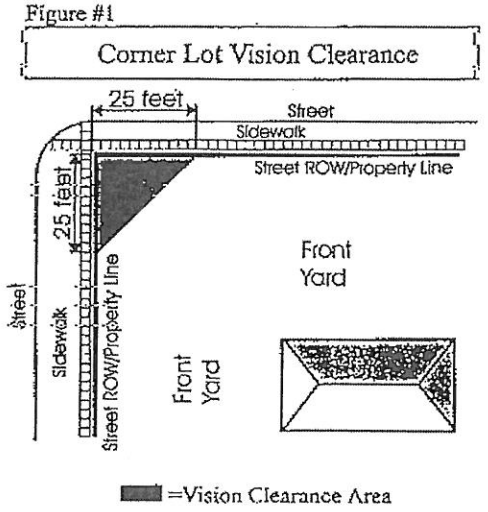
1. "Accessory building" means a structure on the same lot with, and of a nature customarily incidental and subordinate to the principal structure, but not including incomplete or inoperable motor vehicles, recreational vehicles, or trailers.

2. An accessory building shall be devoted to an accessory use. Where an accessory building is attached to the main building in a subordinate manner, as by a wall or roof, such accessory building shall be considered part of the main building

157.03 MAXIMUM HEIGHT, VISION CLEARANCE.

1. Intersections. No accessory structure shall be located which may obstruct vision between a height of 30 inches and 10 feet on any corner lot within a vision triangle of 25 feet formed by intersecting street right of way lines. (see Corner Lot Vision Clearance).

Figure #1



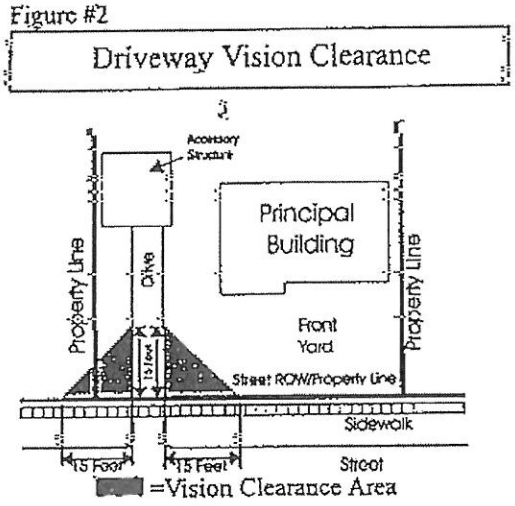
2.

3. Driveways. No accessory structure shall be located which may obstruct vision between a height of 30 inches and 10 feet on any corner lot within a vision triangle of 15 feet formed by intersecting driveway edge (including driveways on adjacent properties) and street right of way lines. (see Driveway Vision Clearance).

4.

5.

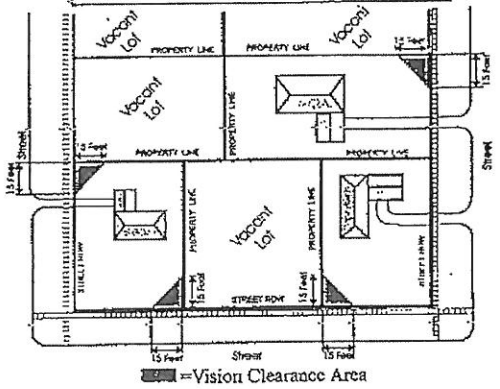
Figure #2



6.

7. Undeveloped Property. No accessory structure shall be located which may obstruct vision between a height of 30 inches and 10 feet on any corner lot within a vision triangle of 15 feet formed by a right of way line and property line adjoining an undeveloped property. (see Undeveloped Property Vision Clearance)

Figure #3



8.

9. At such time that the adjoining undeveloped property is developed, modifications which are in compliance with the above provisions may be allowed, subject to approval by the Compliance Officer.

157.04 UNSAFE AND UNLAWFUL ACCESSORY STRUCTURES.

1. Unsafe Accessory Structures. Notwithstanding other provisions this Chapter, if the Compliance Officer finds that any accessory structure regulated herein is unsafe, unsecured, or a hazard to the public, the Compliance officer shall promptly give written notice by main or personal service to the permittee thereof or to the owner of the premises on which the accessory structure is located. If the permittee or owner fails to remove or alter the structure so as to comply receipt of such notice, such accessory structure may be removed or altered by the Compliance Officer at the expense of the permittee or owner of the property upon which it is located.

2. Unlawful Accessory Structures. If the Compliance Officer finds that any accessory structure regulated herein has been constructed in violation of the provision of this chapter, they shall promptly give written notice to the owner of the premises on which the accessory structure is located. If the owner fails to remove or alter the structure so as to comply with the standards herein set forth within 72 hours after receipt of such notice by mail or personal service to the permittee thereof or to the owner of premises on which the accessory structure is located, such accessory structure may be removed or altered to comply by the Compliance Officer at the expense of the owner of the property upon which it is located.

157.05 GUIDELINES.

1. Garages and accessory buildings shall be allowed only by Council approval regardless of zoning district when a principal structure does not exist.

2. Garages and accessory buildings shall be allowed only by Council approval when a principle structure does exist. The garage or accessory building shall be in conjunction with the principal structure, and primary use to which it relates under the same terms and conditions as the principal structure and primary use in any zoning district unless otherwise noted in this chapter.

3. Setbacks for garages and accessory buildings, in all zoning districts, which are not specifically spelled out in this chapter, shall meet the requirements set elsewhere in this title under setback regulations.

4. Garages and accessory buildings, constructed as part of the principal building, or connected to the principal building by a breezeway or similar structure, or constructed within 10 feet or less of the principal structure, shall be considered as part of the principal building for all yard setback requirements. Otherwise, the provisions for detached garages and accessory structures shall apply.

5. Detached garages and accessory buildings in residential zoning districts may occupy up to 10% of the total lot area in which it is located. In residential zoning districts, the square footage for a garage or accessory building, or the combined square footage of all detached accessory structure on the property, shall not exceed 1,000 square feet. Open porches or similar architectural features, which reduce the size and height impact, will not be counted toward the maximum square footage.

6. In residential zoning districts, the maximum roof peak height of detached garages and accessory buildings shall not exceed 20 feet. The height of retaining walls or the foundation shall be included in the height measurement.

7. In residential zoning districts, exterior walls of detached garages and accessory buildings shall not exceed 12 feet. The wall height shall be measured from existing grade, and the height of retaining walls or the foundation shall be included in the height measurement.

8. In residential zoning districts, the side and rear yard setback for detached garages and accessory buildings shall be 5 feet, measured from the roof overhang or any part of the structure, except when the building entrance faces an alley, the setback shall be 20 feet. Existing detached garages with a side or rear yard setback of at least 3 feet which meet all of the other provisions of this section, may be repaired or reconstructed with the same setback requirements.

9. On corner lots, detached garages and accessory buildings shall meet the front yard setback along each street frontage, as required for the principle structure.

10. On accessory structures, when the exterior wall parallel to the property line exceed 8 ½ feet in height, including the foundation or retaining wall, or exceeds 24 feet in length, that wall shall be set back from the property line a distance equal to the total exterior wall height. This setback minimum shall not preclude other yard setback or easement requirements.

11. Detached garages and accessory buildings shall be residential in character, with similar architectural features as the principle structure, including roof slope, overhangs, etc. The exterior surface of detached garages and accessory buildings, which are metal clad, shall be prefinished colored steel or similar. Galvanized metal is prohibited as the exterior finish material in residential zoning districts.

12. All light fixtures mounted on, or in proximity to, garages and accessory buildings shall be downcast, or shielded to eliminate glare and spillover lighting beyond the property line.

13. Driveways, parking areas, patios, or similar hard surfaces, may be located within 1 foot of the property line if constructed at grade level. If the surface is elevated above the natural grade by retaining walls or similar, the setback shall be equal to the total elevated height above grade. Existing drainage shall be maintained or improved, and shall not force water flow onto adjoining property.

14. Dog runs, dog pens and housing, play sheds, play structures, swing sets, and similar, shall not be located in front yards, and shall meet the minimum setback and height requirements for accessory buildings.

15. All garages and accessory buildings in existence at the time of this ordinance passage are grandfathered in and this ordinance does not apply to the rebuilding of such structures.

157.06 PERMIT REQUIRED. No person shall construct, alter or relocate any garage or accessory structure within the City without first obtaining the appropriate permits, as required by the code, from the City Clerk and making payment of all required permit fees.

157.07 HEARING, APPEALS NOTICE. All appeals shall be to the Board of Adjustment in accordance with Chapter 165.29 of this Code of Ordinances.

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