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**City Code, Chapter 7A: GENERAL ZONING REGULATIONS**

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**SECTION 7A-805. RESIDENTIAL ACCESSORY BUILDINGS.** Accessory Buildings of any kind (Pole Building construction, slab construction or footing-foundation construction) are permitted, subject to the following general restrictions affecting all Accessory Buildings on any lot size:

A. All Accessory Buildings subject to the State Building Code shall conform to the Building Code as contained in Chapter 13 of this City Code.

B. Restrictions in this Chapter on the size and placement on the lot of Accessory Buildings shall not apply on any parcel of twenty (20) acres or larger that is classified as agricultural land for tax purposes and is used for agriculture purposes.

C. All Accessory Buildings shall be harmonious with the Dwelling in terms of color.

D. Accessory Buildings shall be located no closer than 75 feet from any road easement or road right-of-way and no closer than the height of the building or 20 feet from any side lot line, whichever is greater, or the height of the building or 20 feet from any rear lot line, whichever is greater. The placement of an Accessory Building shall meet the following additional requirements.

1. Interior lot. No Accessory Building shall be located in the required front yard area nor located closer to the road easement line or road right-of-way than the front of the principal structure.

2. Corner lot. No Accessory Building shall be located in the required front yard area nor located closer to the road easement line or road right-of-way line than the front of the principal structure not located closer to the road easement line or road right-of-way line, from which primary access to the principal structure is gained, than the rear of the principal structure. The Accessory Building shall be located no closer than the required front yard setback line from the road easement line or road right-of-way line, from which no access is gained or from which secondary access to the principal structure is gained.

3. Shoreland District Riparian Lot. An accessory building may be placed between the principal structure and the public right-of-way (traditional front yard) on riparian shoreland lots which prohibit the location of a non-water-oriented accessory structure between the principal structure and the Ordinary High Water Level.

4. Garage Placement. All garages must be located within fifty (50) feet of the Principal Building and meet be used as defined in Section 7A-201 of the City Code. Garages will not be included in the total square footage limitations listed in Subsection G of this Section.

E. Setback Exception. The setback from the Front Lot Line (measured at the edge of the public right-of-way) may be reduced for an Accessory Building upon the review and recommendation of the Building Official and City Administrator and based upon compliance with the following criteria:

1. The lot size and width are consistent with the standards in Section 7A-801.

2. Accessory Buildings shall not be placed within the front yard setback (seventy-five (75) feet from the edge of the public right-of-way).

3. Fencing, landscaping, or natural vegetation is present between the street and the Accessory Building, and provides screening of at least eighty (80) percent of the Accessory Building year round. Screening must be maintained continually and shall be replaced or repaired if destroyed or damaged.

4. The placement of the Accessory Building complies with the minimum well and septic requirements pursuant to Chapter 14.

5. The proposed Accessory Building is designed to be harmonious with the Dwelling. The Proposed Accessory Building is constructed with the exterior building

materials that are consistent with the style and color of the siding and roofing of the dwelling.

F. Accessory Buildings shall be located no closer than the height of the building or twenty (20) feet from the Side Lot Lines, whichever is greater.

G. The size of Accessory Buildings shall be regulated as follows:

1. The maximum square footage of Accessory Buildings on parcels of less than one acre shall be 1,800 square feet;

2. The maximum square footage of Accessory Buildings on parcels of at least one acre, but less than five acres, shall be 2,700 square feet for the first acre, plus 600 square feet per acre for the remaining acreage or portion thereof. (For example, a parcel that is 1.75 acres in size would be allowed a maximum building floor area of 3,150 square feet based upon the following calculation: 2,700 square feet + (600 square feet x .75) = 3,150.)

3. The maximum square footage of Accessory Buildings on parcels of at least five acres shall be 6,800 square feet for the first five acres, plus 700 square feet per acre for the remaining acreage or portion thereof. (For example, a parcel that is 7.5 acres in size would be allowed a maximum building floor area of 8,550 square feet based upon the following calculation: 6,800 square feet + (700 square feet x 2.5 = 8,550.)<sup>1</sup>

<sup>1</sup>Parcels with large Accessory Buildings shall fully comply with the above restrictions at the time of any application for subdivision. For instance, a 10 acre parcel with 10,000 square feet of Accessory Buildings could not be subdivided until the Accessory Buildings were reduced in size to comply with this ordinance.

H. All Accessory Buildings shall have side walls a minimum of eight (8) feet in height and a maximum of sixteen (16) feet in height as measured from the finished floor for example concrete, dirt or gravel along the wall to the bottom of the roof truss. Accessory Buildings with taller sidewalls may require structural engineering plans and specifications.

I. The square footage of Accessory Buildings is measured from the footings, outer walls, or support posts, and includes lean-to's, car ports and hoop buildings. Gazebos, wood sheds, potting sheds, saunas, playhouses, dog houses, and similar accessory structures, not exceeding 200 square feet, are not included in the calculation of permitted square footage for Accessory Buildings. The square footage of Accessory Buildings meeting the definition of a private garage will be measured from the roof, excluding the two-foot overhand.

J. Residential Accessory Buildings in the SR Suburban Residential District shall be attached to the dwelling units. Each dwelling unit shall have a minimum of two (2) side-by-side garage stalls with minimum interior dimensions of eleven (11) feet by twenty four (24) feet. Surface parking spaces shall be designed to park one automobile in front of each garage stall. Surface parking spaces shall be at least ten (10) feet by (20) feet in area. Driveway aisles between garages facing one another and sharing a common driveway shall be at least twenty-four (24) feet wide.

K. Residential Accessory Buildings may not be placed between the principal structure and the Ordinary High Water Level (OHWL) in the Shoreland Overlay District (see Chapter 7E Shoreland Management Ordinance for other standards and provisions affecting property located within the Shoreland Overlay District). The requirements in Section 7A-805 restricting the location of a Residential Accessory Building between the principal structure and the road right-of-way or road easement may be waived in the Shoreland Overlay District, provided it is demonstrated to the Zoning Administrator there is no reasonable alternative to locating the Residential Accessory Building between the principal structure and the road right-of-way or easement. All other provisions of Section 7A-805 shall remain in effect.

*[§ 7A-805, formerly, § 7A-821, amended by Ord. No. 89-1, effective July 21, 1989, Ord. No. 98-4 effective September 24, 1998, Ord. No. 98-9, effective December 31, 1998, Ord. No. 01-01, effective May 17, 2000, and Ord. No. 02-01, effective May 17, 2002, amended by Ord. No. 03-03, effective June 19, 2003, amended by Ord. No. 04-04A, effective June 3, 2004, amended by Ord. No. 07-02, effective March 1, 2007, amended by Ord. No. 07-03, effective July 26, 2007, amended by Ord. No. 08-03, effective April 17, 2008, amended by Ord. No. 13-01, effective January 31, 2013, amended by Ord. No. 14-02, effective May 1, 2014.]*

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*[§ 7A-806, entitled Oversized Accessory Buildings is deleted in its entirety by Ord. No. 04-04A, effective June 3, 2004, and remaining sections in Article VIII are renumbered accordingly.]*