

3-103.6

Yard Regulations

1. Minimum Width or Depth - Yards having the minimum width or depth set forth for the various districts in TABLE 3-103B, shall be provided on all lots
2. Permitted Structures in Yards and Customary Residential Accessory Structures - In all agricultural and residential districts, the following shall not be considered obstructions when located within any yard except that these items shall comply with Subpart 3, of this section, (Obstructions Prohibited at Street Intersections).
 - a. In Any Yard:
 - ◆ Arbors and trellises not attached to the principal structure or accessory structure.
 - ◆ Driveways subject to other specific provisions of this resolution related directly thereto.
 - ◆ Flagpoles having only one structural ground member.
 - ◆ Fountains.
 - ◆ Mailboxes.
 - ◆ Open terraces, including natural plant landscaping, not including decks (decks are subject to principal structure setbacks).
 - ◆ Pet enclosures less than one hundred (100) square feet.
 - ◆ Sculpture or other similar objects of art, which do not advertise any business or service.
 - ◆ Street furniture such as, but not limited to, benches, drinking fountains, trash receptacles, ashtrays, or light standards.
 - ◆ Vehicular parking areas, unless, otherwise, specifically prohibited by applicable sections of this resolution.
 - ◆ Vents necessary for use of fallout shelters constructed below grade of such yards but excluding all other parts of such shelters.
 - ◆ Privacy walls, or fences not exceeding eight (8) feet in height measured from finish grade level and not roofed or structurally part of a building. (*amended 09.15.2022*)
 - b. In Any Rear Yard: - There shall be a minimum setback requirement of (8) eight feet for all detached accessory structures including those that do not require a building permit such as:
 - ◆ Clothes Poles or clotheslines.
 - ◆ Private playground sets, swings/Recreational equipment.
 - ◆ Small sheds or dog kennels
 - c. Customary Residential Accessory Structures provided such structures comply with the following criteria:
 - i. Structures placed in the rear yard behind the principal structure shall be setback a minimum of (8) eight feet from the sides and rear property line to avoid any utility and drainage easements (refer to survey or plat).
 - ii. Structures placed in the side yard, (to the side of the residence) shall meet the minimum principal building setback requirements for that particular zone in order to avoid any utility and drainage easements and to allow proper separation between neighboring structures.
 - iii. If in the opinion of the Building Commissioner the structure cannot be located in the rear or side yards due to topographical constraints pursuant to Article XII, the Building Commissioner may allow such structure to be placed in the front yard with minimum building setbacks applicable for that particular zone, as required for the principal structure.
 - iv. The total maximum area coverage of all residential accessory structures cannot exceed five (5%) percent of the total parcel (lot/tract) acreage. ~~or exceed the maximum total building footprint area of structure(s) by zoning district. (See Table 3-103C herein); whichever is less.~~
 - v. Prior to issuance of a permit, the property owner shall sign a statement affirming that the use of such structure is and will remain in compliance with the applicable zone.
 - vi. All structures less than 120 square feet and not having a fixed base to the ground shall require no permit but shall adhere to the minimum setbacks and location as required above (*amended on 12/19/2011 to comply with the 2006 IRC*).
 - vii. All structures, regardless of size or permit requirement, shall conform to the above setback and use restrictions.
 - viii. For Planned Developments such as: patio homes, condominium, townhouse, mobile home park, apartment complexes, campgrounds and cabin developments, see Supplemental Regulations by district.