

Section 4.15 - ACCESSORY BUILDINGS, STRUCTURES AND USES.

Accessory buildings, structures, and uses (as defined in Article II, Section 2.02), except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

- A. **Permitted Accessory Buildings and Structures.** Excepts as otherwise specifically permitted in this Ordinance, accessory, accessory buildings and structures shall be permitted only in Zones 1, 2, 3 and 4; except that signs shall be permitted Zones 5 and 6 in accordance with Article IV-A. Permitted accessory buildings and structures in Zones 1, 2, 3 and 4 are limited to those specified in the following table; except that the Zoning Board of Appeals may permit other accessory buildings and structures, but only if the proposed buildings or structures are not specifically "non-permitted" by Section 4.15, sub-section B.

In deciding whether a proposed accessory building or structure should be permitted, the Zoning Board of Appeals shall consider whether the building or structure will alter the essential character of an area, the Zoning Board of Appeals shall consider the established type and pattern of land uses, buildings, and structures in the area, the natural characteristics of the site and would be screened from view off the site.

Permitted Accessory Buildings	(Max. of Two (2) per residence, per <u>Section 4.14</u>
Detached Garage	No more than one (1) per residence. See <u>Section 7.02B</u> , <u>8.02B</u> , <u>9.02B</u> , and <u>10.02B</u>
Storage Shed	No more than one (1) per residence
Gazebo	No more than one (1) per residence
Pump House	A pump house shall be counted as one of the two (2) Permitted Accessory Buildings only if it is greater than 16 sq. ft. or taller than 18 inches.
Dog House	A dog house shall be counted as one of the two (2) Permitted Accessory Buildings only if it is greater than 16 sq. ft. or taller than 48 inches.
Boat House	New boat houses are not permitted.

Permitted Accessory Structures	(number of permitted structures is not specified but is determined by achieving compliance with other zoning requirements)
Swimming Pool	See <u>Section 7.02B</u> , <u>8.02B</u> , <u>9.02B</u> , <u>10.02B</u> , and 4.09E
Play Structures	See Section 4.091
Fences	See <u>Section 4.38</u>
HVAC Equipment, Power Projections	See <u>Section 4.15</u> , subsection D.2
Sports Courts (for example, Tennis Courts, Basketball Courts, Handball Courts, etc.)	See illumination Control Ordinance (Ordinance <u>5.10</u>) regarding lighting standards
Ground Level Unenclosed Projections	See Section 4.09B
Decks	See Section 4.09B
Lakeside Stairs	See Section 4.09C
Manufactured Landscape Features	See Section 4.09F
Retaining and Landscaping Walls	See Section 4.09G
Antenna Facilities	See Section 4.15G
Trash Dumpsters in Zones 5 and 6	See <u>Section 4.31</u>
Signs	See Article IV-A

Permanent Barbecues, Outdoor Kitchens	See Section 4.15H
Roof-Mounted Solar Energy Systems	Roof-mounted solar energy systems are permitted provided that the solar panels are mounted flush to the surface of the roof and do not project above the peak of the roof or beyond any roof edge. A building permit shall be required for installation of roof mounted systems. Solar panels shall not be mounted on any roof that is steeper than a 12/12 pitch or on the face of any building.

B. **Non-Permitted Accessory Buildings and Structures.** The following accessory buildings and structures are not permitted in Zones 1, 2, 3 and 4:

Non-Permitted Accessory Buildings and Structures

Detached Car Ports

Plastic Wrap Greenhouses

New Boat Houses

Summer Houses (only one (1) principal is on each lot)

Detached Greenhouses

Ground-Mounted Solar Energy Systems Permanent Docks

C. **Applicability of Other Codes and [Ordinances].** Accessory buildings and structures shall be subject to all other applicable codes and [ordinances] regarding construction, installation and operations.

D. **Setback and Location Requirements.** Except as otherwise specified in this Ordinance (for example, in Section 4.09), accessory building and structures shall comply with the following setback and location requirements:

1. **General Setback and Location Requirements.**

a. **Detached Accessory Buildings and Structures.** Detached accessory buildings and structures shall comply with applicable setback regulations in Article XIII, the Schedule of Regulations, subject to the following conditions:

- (i) On non-waterfront parcels, detached accessory buildings and structures shall be located to the rear or side of the principal structure.
 - (ii) On waterfront parcels, detached accessory buildings and structures shall be located on the side of the principal structure, provided that any such accessory building or structure shall be landscaped with a combination of deciduous and/or evergreen trees and shrubs to, at minimum, partially screen the building or structure from the road and integrate the accessory building or structure into the overall site.
- b. **Attached Accessory Buildings and Structures.** Except as otherwise noted in this Section, accessory buildings and structures that are an integral part of the principal building or structure (such as an attached garage, a porte-cochere, or a garage that is attached to the principal building by a covered walkway) shall be considered a part of the principal building or structure for the purposes of determining conformance with area, setback, height, and lot coverage requirements. An accessory building or structure is considered an integral part of the principal building if interior access exists or if there is a roof connection between the two. An attached garage shall be considered an integral part of the principal building.

2. **Exceptions to the General Setback and Location Requirements.**

- a. **Sheds.** The minimum side and rear yard setback for sheds shall be three (3) feet. Any such structure shall be screened. Any such structure shall be screened on all encroaching sides with evergreen shrubs or other planting. The screening shall be subject to administrative review and approval.
- b. **HVAC Equipment.** Freestanding heating, ventilation, and air-conditioning (HVAC) equipment and power generators may be located on any side of the principal structure, subject to the following conditions:
 - (i) HVAC Equipment and power generators shall comply with the minimum setback requirements applicable to the principal building. However, there shall be no setback requirement between the principal building and the HVAC equipment and power generators.
 - (ii) HVAC Equipment, power generators and swimming pool equipment shall be screened with non-deciduous plantings so that HVAC equipment, power generators and swimming pool equipment are not visible from the road, adjacent residences, or any lake.
 - (iii) Power generators shall use natural gas as their fuel and shall be enclosed within a cabinet that is sufficiently insulated so that such devices comply with the noise standards in the Nuisance Ordinance and Noise Control Ordinance (Ordinance

9.03 and 9.10).

E. **Lot Coverage.** The total ground floor area of attached and detached accessory buildings and structures, excluding attached garages, shall occupy no more than ten percent (10%) of the total area, subject to the following provisions:

1. **Detached buildings and structures.** The total ground area coverage of all detached accessory buildings and structures shall not exceed seventy-five percent (75%) of the ground floor area of the principal building.
2. **Attached Garages.** The total ground floor area of all attached garages on a parcel shall not exceed fifty percent (50%) of the ground floor area of the principal building. Notwithstanding this provision, each house shall be permitted at least a 3-car garage.

F. **Maximum Height of Accessory Buildings that Are Not an Integral Part of the [Principal] Building are subject to the following provisions:**

1. Except as noted in Section 4.15(D)(1)(b), accessory buildings shall comply with the following height regulations:
 - (i) Accessory buildings shall not exceed one (1) story, provided that the height of the accessory building or structure shall not exceed the height of the principle building or structure.
 - (ii) The maximum exterior wall height (measured from ground level to the underside of the eaves) shall not exceed fifteen (15) feet.
 - (iii) The roof pitch shall be compatible with the roof pitch on the principal building.
2. Accessory structures, other than buildings, shall not exceed fifteen (15) feet in overall height.

G. **Reception antenna facilities.** In all zoning districts the installation of reception antenna facilities shall be permitted as an accessory use, subject to the provisions in this sub-section.

1. **Purposes:** The purposes of this sub-section are as follows:
 - i. To provide reasonable regulations for the placement of reception antenna facilities.
 - ii. To promote safety and prevent dangers to persons and property resulting from accidents involving improperly installed antenna facilities.
 - iii. To maintain the high architectural and aesthetics standards of the City, so as to preserve property values.
2. **General Requirements.**
 - i. Permits required by the adopted electrical code, if required, shall be obtained prior to installation of an antenna.
 - ii. All wiring to the antenna shall be installed underground.
 - iii.

Antennas shall comply with the setback requirements for the districts in which they are located.

- iv. There shall be no restriction on the number of antennas on each parcel.

3. **Ground and Building-Mounted Antennas.**

- i. To the maximum extent feasible, ground-and-tower-mounted antennas shall be screened from view from adjacent properties, from any public or private road, and from any lake by a screen wall, fence, evergreen plantings, or a combination thereof, provided that such screening does not prevent reception of an acceptable quality signal.
- ii. Antennas mounted on a building or roof shall not extend higher than twelve (12) feet above the highest point of the roof within a ten (10) foot radius.
- iii. Building or roof-mounted antennas shall be permitted on the front of a building only when no other option is available to provide acceptable quality signal reception.

4. **Antennas Equal to or Greater than One Meter in Diameter.**

- i. Antennas that are equal to or greater than one meter in diameter shall be permitted only on the side or in the rear of non-lakefront properties. Such antennas shall be permitted in the front yard or lakefront only when documentation is presented to demonstrate there is no other option available to provide acceptable quality signal reception, subject to Zoning Board of Appeals approval.
- ii. Such antennas shall be screened from view from the road, from the lake and from adjacent residences with evergreen screening.

H. **Permanent Barbecues and Outdoor Kitchens:**

1. **Definitions:** For the purposes of this Section, the following terms have the meaning as listed below:
 - a. **Permanent Barbecue.** A permanent, immovable structure that is attached to the ground and is typically used for grilling or smoking food in preparation for consumption. A permanent barbecue is sometimes called a "built-in island barbecue." This definition of permanent barbecue is not intended to include portable barbecues that are not permanently attached to the ground, in-ground post barbecues, fire pits, or chimneys.
 - b. **Outdoor Kitchen.** An outdoor food preparation workspace, consisting of permanent barbecue and other features associated with a kitchen, such as counter tops, a sink, and cupboard space.
2. **Dimensional Requirements.** Permanent barbecues and outdoor kitchens shall comply with the following regulations:

Dimensional Requirement	Waterfront Properties	Non-Waterfront Properties
Maximum Height	5 ft.	5 ft.
Maximum Lot Coverage	32 sq./ft.	32 sq./ft.
Permitted Locations	Side Yards, Waterfront Yard	Side Yards, Rear Yards
Minimum Setbacks		
Side Yards	Must comply with Minimum side yard setback in Article XIII, footnote n	
Rear Yard	Not Applicable	Must comply with Ordinance standards
Waterfront Yard	May encroach up to 18 ft. into the required waterfront setback	Not applicable
Minimum distance between structure and house	Barbecue and Outdoor Kitchen: 5 ft.	Barbecue and Outdoor Kitchen: 5 ft.

I. **Roof Mounted Solar Energy Systems in Zones 5 and 6.** Roof mounted solar energy systems in Zones 5 and 6 shall comply with the following regulations.

1. **Permit Required.** A building permit shall be required for installation of roof mounted systems.

2. **Mounting and Projection.**

Pitched Roofs:

- a. For the purpose of Section 4.15(l) only, a pitched roof is defined as roof that has a slope greater than one-inch (1") vertical to four feet (4') horizontal.
- b. Solar panels shall be mounted flush (within 6" of the roof line) and shall not project above the peak of the roof or beyond any roof edge.

- c. Solar panels shall not be mounted on any roof that is steeper than 12/12 pitch or on the face of any building.
- d. Solar panels shall be setback a minimum of two (2) feet from any roof edge.

Flat Roofs:

- a. For the purpose of Section 4.15(l) only, a flat roof is defined as a roof that has no greater slope than one inch (1") vertical to four feet (4') horizontal.
 - b. Solar panels shall not project more than two (2) feet above the roof plane at its highest point and not more than six (6) inches at its lowest point.
 - c. Solar panel installation shall require site plan approval from the Planning Commission when angled mounted.
 - d. Solar panels shall be setback a minimum of two (2) feet from any roof edge.
3. **Height.** In no case is a roof mounted solar energy system in Zones 5 or 6 permitted to be installed in a manner which would exceed the maximum height restrictions applicable for the property.
4. **Screening.** Architectural screening may be required if, in the determination of the Director of City Services, the roof mounted solar energy system is proposed in a location or manner that is reasonably expected to have a negative impact in terms of glare, noise, or visual impact to adjacent property owners and the effects can be mitigated by such means. Flush mounted solar panels shall not be subject to the screening requirements.

(Ord. of 9-21-2020(1), Ord. of 9-21-2020(2); Ord. of 7-18-2022(1); Ord. of 12-18-2023(2))