

**CITY OF MARSHALL
ORDINANCE 26-011**

**AN ORDINANCE AMENDING CHAPTER 86, ARTICLE VI, DIVISION 1,
SECTION 164 ACCESSORY EQUIPMENT**

The Common Council of the City of Marshall do ordain:

SECTION 1: **AMENDMENT** “Section 86-164 Accessory Equipment” of the Marshall Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 86-164 Accessory Equipment and Structures

- (a) In all the classes of residential districts, accessory equipment shall be subject to the following qualifications:
- (1) Accessory equipment, except a single basketball hoop, shall not be located in any required front yard, side yard, or ~~be located~~ within 12 feet of any rear lot line. Accessory equipment cumulatively less than 200 square feet in area and less than eight feet in height and sport courts shall not be placed less than five feet to the side or rear property line. Residential type AC units are permitted within required side or rear yards.
 - (2) Accessory equipment shall not exceed 12 feet in height when measured from the lowest point of the finished surface of the ground within five feet of the support structure to the top of the equipment. Equipment mounted on the roof of the building shall not project beyond the highest portion of the pitched roof structure of the building nor exceed four feet above the flat roof structure.
 - (3) When the accessory equipment is attached structurally and not just electrically to ~~a the main~~ building, it shall comply in all respects with the requirements of this chapter as applicable to the ~~main~~ buildings s and also to the requirements of the building code.
 - (4) Accessory equipment shall not be placed on a lot where there is no permitted principal use ~~main~~ building except in a case when such lot is not substandard and is adjacent to the lot where a permitted principal use ~~main~~ building is located, provided both lots have the same owner(s), and the owner(s) sign and record an agreement prohibiting the sales or transfer of individual lots unless a new principal use ~~main~~ structure is built on a lot where accessory equipment, compliant with the city ordinance, is located or said accessory equipment is removed. If such accessory equipment is allowed under above conditions, the city ordinance shall be applied as if two adjacent lots are combined into one, except a sports court may be located at a lesser distance to ~~a the~~ front property line than the principal use ~~main~~ building.

- (5) In the R-1 one-family residence district and the R-2 one- to four-family residence district accessory equipment shall not be located a lesser distance to the front property line than the principal use~~main~~ building except residential type AC units or unless fully screened from public right-of-way by solid fence. On double frontage lots accessory equipment may be permitted on the side opposite to the lot access point provided it meets applicable front yard requirements.
- (6) Accessory equipment, including any projections, shall not be located within any utility easements.
- (7) Roofed structures shall be subject to accessory buildings area limits per Section 86-163 (b) (4).
- (b) In all the classes of business districts, accessory equipment shall be subject to subsections (a)(1), (2), (3) and (6).
- (c) In all the classes of industrial districts, accessory equipment shall be subject to subsections (a)(1), (3) and (6).

(Code 1976, § 11.19(4)(D); Ord. No. 681 2nd series, § 1, 9-24-2013; Ord. No. 750 2nd series, § 1, 6-23-2020; Ord. No. 21-002, § 1, 4-27-2021)

SECTION 2: **EFFECTIVE DATE** This Ordinance shall take effect after its passage and publication.

PASSED AND ADOPTED BY THE CITY OF MARSHALL COMMON COUNCIL

Presiding Officer

Attest

Robert Byrnes, Mayor, City of
Marshall

Steven Anderson, City Clerk, City of
Marshall