

Accessory Structure Text Amend.

Section 15-752 – Definitions

Accessory building means a building which:

- (1) Is subordinate to and serves a principal building or principal use served;
- (2) Is subordinate in area, extent, or purpose to the principal building or principal use served;
- (3) Contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served; and

~~— Is located on the same zoning lot as the principal building or principal use served, with the single exception of those accessory off-street parking facilities as are permitted to locate elsewhere than on the same zoning lot with the building or use served.~~

Accessory structure means a structure which:

- (1) Is subordinate to and serves a principal building or principal use on a property;
- (2) Includes, but is not limited to: pergolas, gazebos, recreational structures, above-ground swimming pools, and similar structures as determined by the Zoning Administrator.
- (3) Accessory structures do not include:
 - a. Fences – regulated in Section 15-522;
 - b. Pavement or parking lots - regulated in Section 15-619;
 - c. Private solar energy collection systems - regulated in Section 15-555;
 - a.d. Landscape features such as garden ponds, mailboxes, statuary/art objects, little free libraries and similar uses, clotheslines, seasonal decorations, arbors, trellises, fountains, birdhouses, birdbaths, birdfeeders, lawn furniture, raised garden beds, and similar landscaping containment materials, retaining walls, and similar manmade lawn and landscaping elements as determined by the Zoning Administrator.

Commented [JM1]: In my opinion, a parking lot would not meet the Village's definition of building. Let's discuss how to handle parking lots. I think parking lots should be exempt from the area requirements for accessory buildings or structures (maybe they are already?)

Accessory **structures** are regulated in Section 15-517 (as you have above). Accessory **buildings** are regulated in Section 15-517. Since there is a different set of rules for each, then we need to have different definitions for an accessory building and an accessory structure.

Sec. 15-516. - Accessory buildings.

- (a) No accessory building shall be located in a required front yard.
- (b) ~~On properties without a detached garage, a~~ total of **one** accessory building may be permitted on any parcel, unless otherwise authorized through a provision of this Code.

(~~i~~e) On lots less than or equal to one acre, an accessory building shall not exceed **700 square feet in area**.

(~~ii~~d) On lots greater than one acre, an accessory building shall not exceed **1,200 square feet in area**.

(c) On properties with a detached garage, a total of **one** additional accessory building, limited to 200 square feet in area, may be permitted on any parcel, unless otherwise authorized through provision of this Code.

(d) Accessory buildings totaling 100 square feet or less may be constructed without the need of a zoning permit, but must be at least 5 feet from any property line and may not be placed in the front or side yards.

(e) On a reverse street corner lot, a lone accessory structure shall not be located closer to the rear property line than the required side yard of the adjoining key lot and not closer to the street than the required front yard of the adjoining key lot.

(f) Swimming pools used solely by persons resident on the site and their guests, provided that no swimming pool or accessory mechanical equipment shall be located in a required front yard or less than ten feet from a property line.

(g) Accessory buildings shall meet the following height and setback requirements:

- Table 15-516. Accessory Buildings -- *establishes maximum height (20 or 35 ft), side setback (10-50 ft), rear setback (10-10 ft) for accessory buildings*

Section 15-517 – Accessory Structures

(a) No accessory structure shall be located in a required front yard nor closer to the front property line than the front or corner side elevation of the primary building.

(b) Each accessory structure shall be limited to **200 square feet in area**.

i. No more than **two** accessory structures may be permitted per parcel.

(c) Accessory structures less than three feet in height shall be located a minimum of five feet from side and/or rear property lines.

(d) Accessory structures **three feet in height or taller** shall meet the zoning district's required setbacks for accessory buildings, as referenced in Section 15-516.

Accessory Structure (V&A suggested definition)

Accessory structure means anything constructed or erected, the use of which requires a more or less permanent location on the ground or attached to something having a permanent location on the ground, which:

- (1) Is subordinate to and serves a principal building or principal use served;
- (2) Is subordinate in area, extent, or purpose to the principal building or principal use served;

- (3) Contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served; and
- (4) Is located on the same zoning lot as the principal building or principal use served, with the single exception of those accessory off-street parking facilities as are permitted to locate elsewhere than on the same zoning lot with the building or use served.

Accessory structure include

Accessory Building (Roscoe's current definition)

See Section 15-752 above

Building (Roscoe's current definition)

Building means any structure having a roof supported by columns or walls for the sheltering or enclosure of persons, animals, chattels, or property of any kind; any structures with interior areas not normally accessible for human use, such as gas holders, oil tanks, water tanks, grain elevators, coal bunkers, oil cracking towers; and other similar structures are not considered as buildings.