

## 537 Milford Street – Accessory Structure > 1,000 square feet

### Background:

Timothy J. & Shelley M. Kassube (property owners) are looking to develop an accessory structure that exceeds 1,000 square feet. 537 Milford Street is zoned Multi-Family Residential (MR-8). The property has a principal land use of Single-Family Residential.

### Relevant Information:

The following information has been identified by the City of Watertown Zoning & Floodplain Administrator as pertinent to this action:

1. Under Section § 550-56C(1)(b):

*(b) A conditional use permit is required for:*

*[1] A combination of accessory structures exceeding a total of 1,000 square feet; or*

*[2] More than two accessory structures.*

2. Maximum accessory building coverage under Section § 550-26F(1)(e):

*(e) Maximum accessory building coverage: 10%.*

3. 537 Milford Street is 24,394 square feet.

a. Accessory building coverage cannot exceed 2,439 square feet.

4. Proposed access for the proposed structure would violate Section § 410-23B(1)(a):

*(a) To trespass intentionally on the land or buildings of another and intentionally and without regard for the rights of the owner or lawful occupant to use or occupy such premises without authority to do so from the owner or lawful occupant thereof.*

5. 537 Milford Street would be allowed a second access point as it meet the requirement of Section § 550-105C(2):

*(2) In no instance shall any lot be permitted more than one access point on any one street if its frontage on said street is less than 100 linear feet (as measured along the right-of-way line).*

6. Access Drives shall be paved under Section § 550-105M:

*M. Paving of access. All access approach areas located within a street right-of-way shall be paved to the satisfaction of the Director of Public Works with a hard, all-weather surface and shall be maintained so as to prevent the transport of gravel, dirt or other eroded material from the subject property into the right-of-way.*

7. Driveway shall be paved under Section § 550-107F(1):

*(1) Surfacing and marking. All off-street parking and traffic circulation areas (including all residential driveways, except those within the RH District) shall be paved with a hard, all-*

*weather surface to the satisfaction of the Director of Public Works. Said surfaces intended for six or more parking stalls shall be marked in a manner which clearly indicates required parking spaces.*

**Options:**

These are the following options, but not limited to, for the Plan Commission based on the information received by the City of Watertown Zoning & Floodplain Administrator:

1. Deny the Conditional Use Permit
2. Approve the Conditional Use Permit without conditions
3. Approve the Conditional Use Permit with conditions identified by the Plan Commission.
  - a. Total accessory building coverage cannot exceed 1,000 square feet
  - b. No access onto neighboring private property
  - c. Access drive shall be paved
  - d. Driveway shall be paved

## 537 Milford Street – Maximum Height Exemption

### Background:

Timothy J. & Shelley M. Kassube (property owners) are looking to develop an accessory structure that exceeds 18 feet in height. 537 Milford Street is zoned Multi-Family Residential (MR-8). The property has a principal land use of Single-Family Residential.

### Relevant Information:

The following information has been identified by the City of Watertown Zoning & Floodplain Administrator as pertinent to this action:

1. Under Section § 550-26F(2)(i):

*(i) Maximum height of accessory structure: 18 feet.*

2. Maximum height exceptions are allowed under Section § 550-83C:

*C. Any building or structure not otherwise accounted for by Subsection B above may exceed said maximum height regulations with the granting of a conditional use permit which specifically states the maximum permitted height of the proposed building or structure.*

3. As a reminder building height for accessory structures are defined under Section § 550-15:

#### **BUILDING HEIGHT**

*The vertical distance from the lowest elevation of the adjoining ground level or the established grade, whichever is lower, to the top of the cornice of a flat roof, to the deckline of a mansard roof, **to a point of the roof directly above the highest wall of a shed roof**, to the uppermost point on a round or other arch-type roof, or to the midpoint distance of the highest gable on a pitched or hip roof. Unless excepted by specific provisions in this chapter, building height includes the height of any structures attached to a building.*

### Options:

These are the following options, but not limited to, for the Plan Commission based on the information received by the City of Watertown Zoning & Floodplain Administrator:

1. Deny the Conditional Use Permit
2. Approve the Conditional Use Permit without conditions
3. Approve the Conditional Use Permit with conditions identified by the Plan Commission.
  - a. Applicant must specifically state the maximum height of the proposed accessory structure.