

## ARTICLE 28

### ACCESSORY USES

#### SECTION 2801 PERMITTED ACCESSORY USES - RESIDENTIAL AND OFFICE

The following accessory uses are permitted in each Residential District, and the Office Residential District.

- A. Private garages or carports.
- B. A structure for storage incidental to a permitted use.
- C. A guest house (without kitchen facilities) or rooms for guests in an accessory building, provided such facilities are used for the occasional housing of guest of the occupants of the principal building, and not as rental units or for permanent occupancy.
- D. A swimming pool, bathhouse, tennis court, and other recreational facilities designed for the use of the occupants of the single family dwelling and their guests. Such facilities shall occupy with the following conditions and requirements:
  - 1. The facilities shall not be located in any yard except the rear yard and shall be no closed to the side lot line than the side yard requirement for the district in which it is located.
  - 2. The swimming pool, or the entire property on which it is located, shall be walled or fenced to prevent uncontrolled access by children from the street or from adjacent properties. Said fence or wall shall not be less than five (5) feet in height and maintained in good condition with a gate and lock. Such five (5) foot fence or wall may be the extension of the side walls of the swimming pool.
  - 3. The facilities shall be located on the same zoning lot as the principal building, structure or use.
- E. A child's playhouse, tree house, birdhouse.
- F. Statuary, arbors, trellises, barbecue equipment, flag poles, fences, play equipment, non-mechanical laundry drying equipment, walls and hedges.
- G. Fallout shelters.
- H. Any other structure or use customarily found in conjunction with an required for full utilization and enjoyment of the principal use; and which meets the definition of accessory use in Subsection 201.01.

I. Recreational equipment subject to the following conditions:

1. Parked or stored camping and recreational equipment as defined by Article 2 shall not be connected to electricity, water, gas or sanitary sewer facilities; and at no time shall this equipment be used for living or housekeeping purposes.
2. If the camping and recreational equipment is parked or stored outside a garage, it shall be parked or stored to the rear of the house.
3. Notwithstanding the provisions of subparagraph 2, camping and recreational equipment may be parked anywhere on the premises for loading or unloading purposes, for a period of not more than forty-eight (48) hours.

J. Garage Sales

(Including patio, basement, yard or block sales) may be held from 8:00 A.M. to sundown.

1. No sale may extend for more than three (3) consecutive days (or portion thereof).
2. No more than two (2) garage sales per dwelling unit may be held on any such zoning lot in any calendar year.
3. No person conducting a garage sale under the provisions of this Article shall sell or offer for sale any food or beverage for consumption on the premises. Food or beverage may be provided for such consumption at no cost to the consumer, but only if a permit is obtained in advance from the Board of Health.
4. No fee or other charge shall be imposed upon members of the public attending any such sale.
5. One non-illuminated sign not exceeding four (4) square feet in size, nor more than three (3) feet in height above grade may be displayed on the property where the sale is being held.
6. Off-premises direction-type signs (a maximum of two signs) may be used in conjunction with such garage sale providing they do not exceed four (4) square feet per sign, are not more than three (3) feet in height, and are limited in number to not more than one (1) such directional sign per collector or arterial type roadway. All signs shall be removed within twenty-four (24) hours following the conclusion of the garage sale.

7. Balloons, streamers, special lighting, noise making devices or other

similar advertising displays or notices shall not be used to call attention to the garage sale.

- K. Estate auctions and moving sales shall be permitted not more than one (1) week per calendar year, provided that such estate auction is made necessary for settling the estate of the resident, or provided that such moving sale is made necessary when a residents is moving away from the lot to another dwelling.
- L. Radio, television, wind generating, or other similar dish, antennae, or structure provided such items are not located closer to the street than the front line of the house.
- M. Foster Care Homes as defined in Section 206.12 subject to the following conditions:
  - 1. Every room occupied for sleeping purposes within the home shall contain a minimum of eighty (80) square feet of habitable room area for one occupant, and when occupied by more than one shall contain at least sixty (60) square feet of habitable room area for each occupant.
  - 2. The Home is approved by the local agency responsible for providing support services and/or programs to the facility.
  - 2. Evidence that licensure or certification proceedings have been initiated and that a valid license or certificate is obtainable from the appropriate governmental agency.

**SECTION 2802**

**PERMITTED ACCESSORY USES - BUSINESS AND INDUSTRIAL DISTRICTS**

In a Business or Industrial District, any use which is customarily found in conjunction with an required for the full utilization and economic viability of the principal use which meets the definition of accessory use in Subsection 201.01, and which compiles to the applicable standards of the district in which it is located is permitted.

**SECTION 2803**

**ACCESSORY USES NOT PERMITTED - AGRICULTURAL, RESIDENTIAL, OFFICE AND BUSINESS DISTRICTS**

- A. Overnight parking or outdoor storage of trucks over one-half (1/2) ton rates capacity, business, or mobile homes shall not be permitted as an Accessory Use in an Agricultural, Residential or Office District.
- B. Outdoor storage, such as but not limited to: junk, wood, lumber, building materials, parking of inoperative or unlicensed motor vehicles or similar items of property, unless specifically permitted by the specific zoning

district regulations shall not be permitted as an Accessory Use in Agricultural, Residential, Office or business Districts.

**SECTION 2804**

**STANDARDS**

yard,

- A. An accessory building may be erected as an integral part of a principal building or it may be connected thereto by a breezeway or other similar structure.
- B. An accessory building may be erected, detached from the principal building. Except as provided in Article 29, Section 2905 B, no detached accessory building shall be erected in any yard or court, except a rear yard, and shall not occupy more than thirty-five (35) percent of the area of the required rear yard but in no case shall an accessory building be larger than the principal structure in a Residential Zoning District.
- C. For computing the percentage of occupancy of a rear yard, as required in Paragraph B hereof, if a detached accessory building is connected to the principal building by a breezeway, the ground area of such breezeway shall be considered as a part of the accessory building and be included in the computation.
- D. A detached accessory building shall not exceed twenty-five (25) feet in height or the height of the principal structure, whichever is the lesser.
- E. A detached accessory building shall be at least three (3) feet from the side and rear lot lines.
- F. On a corner lot abutting in the rear the side lot lines of a lot in a Residential District, any accessory building or part thereof within twenty-five (25) feet of the common lot line shall not be closer to the side street lot line than the least depth of the front yard required on such other lot fronting the side street; and in no case shall any part of such accessory building be closer to the side street lot line than the least width of the side yard required for the principal building to which it is accessory.
- G. On a corner lot abutting in the rear the rear lot line of a lot in a Residential District any accessory building or part thereof shall not be closer to the side street lot line than fifteen (15) feet.
- H. Except as provided in Article 29, Section 2805 B, any accessory building or structure, if not located in the rear yard, shall be an integral part of, or connected with, the principal building to which it is accessory; and shall be so placed as to meet all yard and court requirements for the principal building.