

§ 525-34 Accessory uses, buildings, and structures.

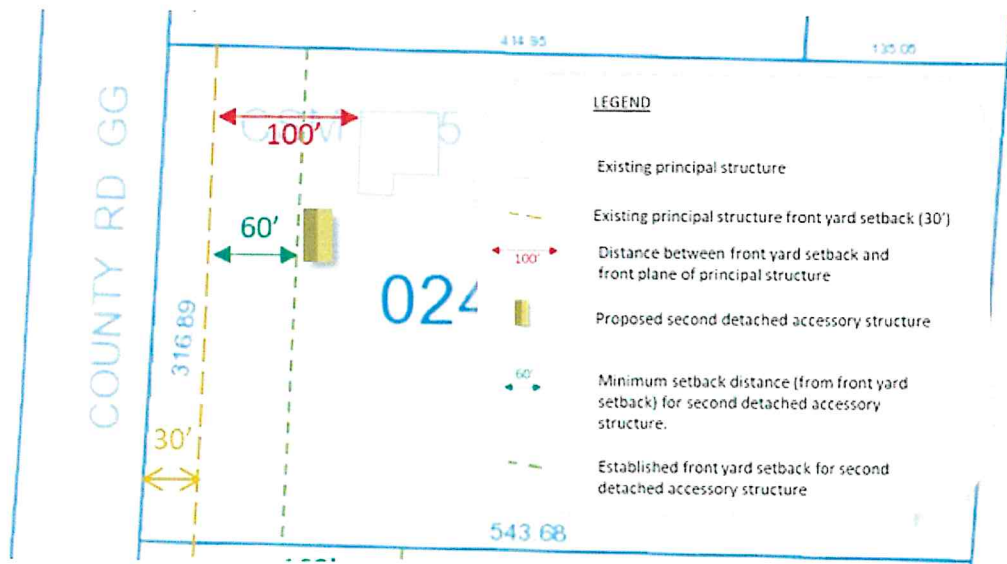
[Amended by Ord. No. 2003-01; 12-20-2011 by Ord. No. 2011-04; 3-20-2012 by Ord. No. 2012-01; 4-22-2014 by Ord. No. 2014-06; 10-21-2014 by Ord. No. 2014-12; 7-21-2015 by Ord. No. 2015-02; 4-24-2018 by Ord. No. 2018-01]

- A. General regulations for accessory uses, buildings, and structures. All accessory uses, buildings, and/or structures shall abide by the following general regulations:
- (1) No accessory use, building and/or structure shall be constructed or established on a lot prior to the principal use or building being present or under construction, except temporary construction trailers.
 - (2) When attached to the principal building, accessory buildings and/or structures shall comply with all requirements of this chapter applicable to the principal building, unless otherwise stated, including, but not limited to, setback requirements, building height limits, and maximum lot coverage standards.
 - (3) When not attached to the principal building, accessory buildings and/or structures shall comply with all requirements of this chapter applicable to the accessory buildings, and/or structures in the zoning district, including, but not limited to, **number of detached structures**, placement, size, drainage, and design standards.
 - (4) Accessory buildings or structures shall not be located closer to the front lot line than the principal structure **unless noted as an exception in C.(4)**.
 - (5) Accessory buildings or structures shall not be located within any recorded easement (utility, drainage, or otherwise) without written consent of the entity controlling the easement.
 - (6) The following, including, but not limited to, truck, truck tractor, truck trailer, canopy, bus, railroad car, camper, camping trailer, utility trailer, motorhome or similar vehicle or structure, or portion thereof, shall not be used for storage purposes, as a principal use and/or structure or an accessory use and/or structure in any zoning district unless otherwise stated in this chapter.
 - (7) Any detached accessory use, building and/or structure with a water closet (toilet facility) shall require a special exception permit, pursuant to special exception permits.
 - (8) Accessory uses, buildings and/or structures shall be located on the same lot as the principal use, structure, or building.
 - (9) Detached accessory buildings shall not be used as a secondary dwelling.

- (10) One portable storage unit shall be allowed on a lot for no more than 30 consecutive days and no more than 60 total days per calendar year. The unit shall be placed on an impervious surface and shall not be located within 10 feet of road right-of-way.
- B. Use restrictions. All accessory uses, buildings and/or structures shall abide by the following use restrictions.
- (1) When located in zoning districts AGD, RSF, RTF, RMF:
 - (a) Accessory buildings shall be restricted to parking, storage, or private activities by the occupant(s) of the lot upon which the building is located. Any manufacturing, retail, or commercial activities are prohibited.
 - (b) The enclosed parking or storage of not more than one commercial or service vehicle may be permitted within an attached garage or detached garage provided that such vehicle is used by the occupant(s) of the lot upon which the vehicle is parked or stored.
 - (2) The enclosed parking, storage, or use within an attached garage, detached garage, building or structure shall be restricted to the occupant(s) of the principal use or building.
 - (3) For properties within residential zoning districts there is a maximum of one detached garage or structure per dwelling unit.
 - (4) For properties within the AGD or AED District and within a recorded subdivision plat there is a maximum of one detached garage or structure per dwelling unit.
 - (5) For properties within the AGD District and not within a recorded subdivision plat there is a maximum of ~~one~~ two detached garages or structures per dwelling unit.
 - (6) For properties within the AED District and not within a recorded subdivision plat there is no maximum number of detached garages or structures per dwelling unit.
- C. Placement.
- (1) Detached buildings or structures shall be a minimum of 10 feet from any other structure on the property.
 - (2) Detached buildings or structures shall not be placed closer to the front lot line than the principal structure unless specifically allowed for in C.(4).
 - (3) Detached buildings or structures shall meet the following side and rear setbacks:
 - (a) AGD zoning: 25 feet.

- (b) Recorded subdivision plats within AED or AGD zoning: eight feet. [Added 11-17-2020 by Ord. No. 2020-05]
 - (c) RSF, RTF, RMF zoning: eight feet.
- (4) Detached accessory structures in the AGD zone on properties of 3 acres or more, not within a recorded subdivision plat, and outside of the Darboy Sanitary District may be placed on the lot in a manner so that the accessory structures' front plane is no closer than 60% of the distance between the existing or planned principal structure's front plane and the established principal structure front yard setback as measured from the closest point of the principal structure. [See Fig. 525-34-1]

Fig. 525-34-1: Setback Example for AGD Zone Detached Accessory Structures




D. Coverage, size, height.

- (1) Lot coverage. The total square footage, in-ground floor area, of all structures (existing and proposed) shall not exceed the following (swimming pools and decks are excluded):
 - (a) AGD zoning: 10%.
 - (b) Recorded subdivision plats within AED or AGD zoning: 25%. **[Added 11-17-2020 by Ord. No. 2020-05]**
 - (c) RSF zoning: 25%.
 - (d) RTF, RMF zoning: 40%.
- (2) Impervious surface coverage. The total square footage, in ground floor area, of all structures (existing and proposed) shall not exceed the following (swimming pools, decks, driveways, and patios are included):
 - (a) AGD zoning: 30%.
 - (b) Recorded subdivision plats within AED or AGD zoning: 35%. **[Added 11-17-2020 by Ord. No. 2020-05]**
 - (c) RSF zoning: 35%.
 - (d) RTF, RMF zoning: 60%.
- (3) No detached building or structure shall exceed total in-ground floor area as follows:
 - (a) AGD zoning: 3,000 square feet.
 - (b) Recorded subdivision plats within AED or AGD zoning: 900 square feet. **[Added 11-17-2020 by Ord. No. 2020-05]**
 - (c) RSF zoning: 900 square feet.
- (4) No detached building or structure shall exceed a dimension from the finished floor elevation to the highest point of its roof as follows:
 - (a) AGD zoning: 24 feet.
 - (b) Recorded subdivision plats within AED or AGD zoning: 18 feet. **[Added 11-17-2020 by Ord. No. 2020-05]**
 - (c) RSF zoning: 18 feet.

This Ordinance shall take effect upon passage and publication.

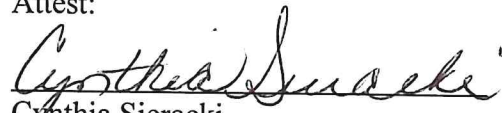
Adopted this 20 day of December, 2022

TOWN OF BUCHANAN:



Greg Sprangers
Town Chairperson

Attest:


Cynthia Sieracki
Town Clerk/Treasurer