

5.5 Accessory Buildings or Structures

5.5.1 Permitted Accessory Buildings or Structures

The following requirements shall apply to any accessory buildings or structures permitted in accordance with the Tables of Uses (Sections 5.3.1 and 5.3.2).

1. General Provisions:

- a. An accessory building or structure is not permitted within a Required Front Yard, with the exception of flagpoles and fences.
- b. Flagpoles of a height less than twenty (20) feet and fences shall be exempt from the front, side and rear yard requirements set forth in Section 6.0 of the Zoning Bylaw. A building permit is required for a flagpole exceeding twenty (20) feet or a fence exceeding six (6) feet in height.
- c. Accessory buildings may be used for Accessory Apartments only as permitted pursuant to Section 5.4.7 of the Zoning Bylaw. ~~Accessory Apartments are not subject to the requirements of Section 5.5.1.~~
- d. Any accessory building or structure, including a garage, that is less than 10 feet from a principal structure on the lot is considered "attached to" the principal structure, and is subject to the dimensional limits and requirements of a principal structure.
- e. Non-residential accessory structures, including vending machines, automated teller machines (ATMs), and electronic game kiosks shall be required to meet the front, side and rear yard requirements for a principal structure in the same zoning district, except as may be authorized by Special Permit from the Zoning Board of Appeals.
- f. An accessory building or structure that is not an Accessory Apartment may have a footprint that is either 600 square feet or twenty-five percent (25%) of the gross floor area of the principal structure, whichever is greater.
- g. Accessory structures, aside from garages and structures used for storage, are exempt from lot coverage requirements.

2. Garages:

- a. All garages are subject to lot coverage requirements.
- b. Any "attached" or detached garage that conforms to the Required Side Yard and Required Rear Yard setbacks for a principal structure in the same zoning district is permitted to utilize the maximum height permitted for a principal structure in the same zoning district, and is permitted at any size;
- c. Any detached garage in a residential district or accessory to a single or two-family dwelling in a non-residential district may be located within a Required Side Yard or Required Rear Yard, but must be no less than five (5) feet from the nearest side or rear lot line, and must occupy no more than twenty-five percent (25%) of the Required Side Yard or Required Rear Yard Area.
- d. Detached garages located within a Required Side Yard or Required Rear Yard:
 - i. shall have a slab to top plate height no greater than 9 feet;
 - ii. shall not have dormers or windows on the sides of the roof; and
 - iii. shall not have a full staircase.

3. Home Recreational Facilities: a swimming pool, tennis court, sports court, or similar home recreational facility shall be permitted at any size, provided that it conforms to the Required Side Yard and Required Rear Yard setbacks for a principal structure in the same zoning district. A Home Recreational Facility may be located within a Required Side Yard or Required Rear Yard setback as long as it is no greater than the greater of 600 square feet or twenty-five percent (25%) of the gross floor area of the principal structure.

4. Other Accessory Buildings or Structures Within Required Side Yards or Required Rear Yards:

- a. Shall be limited to one story, or less than 12 feet in height
- b. Any accessory building or structure in a residential district or accessory to a single or two-family dwelling in a non-residential district may be located within a Required Side

Yard or Required Rear Yard, but must be no less than five (5) feet from the nearest rear or side lot line, and must occupy no more than twenty-five percent (25%) of the Required Side Yard or Required Rear Yard area.

5. A Special Permit from the Community Planning and Development Commission (CPDC) may be granted for the following:
- a. In all districts, provided that all Required Front Yard, Required Side Yard and Required Rear Yard setbacks are met, or that the CPDC can reasonably determine that relief from one or more setbacks is warranted and will not be detrimental to abutting properties or to the neighborhood:
 - i. A truck trailer used for storage or advertising;
 - ii. A stand-alone shipping or storage container;
 - iii. A steel storage unit.
 - b. In residence districts, a temporary storage unit that will be on a property for more than thirty (30) days, provided that all front, side and rear yard setbacks are met