Section 2.01 Definitions

Accessory building: Any structure that is used for storage and does not have a door or other entranceway into a dwelling unit or the principal use on the property, the use of which is limited primarily to storage of inanimate objects. Accessory buildings do not include dwelling units except when used in conjunction with a permitted use in the zoning district.

Accessory use, or accessory: A use which is clearly incidental to, customarily found in connection with and located on the same parcel as, the principal use to which it is related.

Section 22.01 Accessory Buildings

22.01.1 Accessory Residential Buildings Setbacks and Floor Areas – Reviewed by Zoning Administrator unless otherwise indicated

A. ACCESSORY RESIDENTIAL BUILDINGS SETBACKS AND FLOOR AREAS

1. Customary residential accessory buildings are permitted by right provided they are incidental to and customarily found in connection with a main residential use of the property on which it is located.

2. Accessory buildings 200 sq. ft. or less are authorized without a permit on a lot with or without a main use if they meet the applicable front yard setback standard, and that they are placed a minimum of five (5) feet from the side lot line(s) and ten (10) feet from the rear lot line.

3. Accessory residential buildings greater than 200 sq. ft. shall be subject to the side and front setback requirements as regulated by District but one (1) accessory building with 600 sq. ft. or less floor area may meet a minimum setback of ten (10) feet from the rear lot line. This setback provision shall not apply to lots fronting on a lake, river or stream.

4. Residential accessory building sizes shall be regulated as follows:

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Location on the Property</th>
<th>Maximum Ground Floor Area*</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1, R-2, RR, and SR</td>
<td>Front, Side, or Rear Yard</td>
<td>1,200 Sq. Feet</td>
</tr>
<tr>
<td>FF-1, FF-2, and FR</td>
<td>Front or Side Yard</td>
<td>1,200 Sq. Feet</td>
</tr>
<tr>
<td>FF-1, FF-2, and FR</td>
<td>Rear Yard**</td>
<td>2,400 Sq. Feet</td>
</tr>
</tbody>
</table>

*On a corner lot, i.e. with two front yards, the Zoning Administrator may approve one yard to qualify for an accessory building that meets the size standards for a rear yard accessory building.

**For the purpose of determining the Rear Yard for placement of an accessory building: the rear yard is an area behind the back wall of the main use, or is at a point 250 ft. or farther from the road right-of-way line.
5. The front or side yard accessory building size may be increased to the maximum size as allowable in the rear yard in FF-1 and FF-2 Districts, provided all of the following standards can be met, as determined by the Zoning Administrator:
   a. The lot is a minimum of five (5) acres in lot area and at least 300 feet of width.
   b. The structure is located in such a manner as to attain natural screening by existing vegetation or topography to at least partially screen the use from the view of adjoining properties and/or public roads.
   c. The structure meets all side, rear and waterfront setback standards, as applicable, of the zoning district.
   d. The structure is sited a minimum of 100' from a private or public road right-of-way.
   e. The applicant shall record an affidavit with the Register of Deeds stating the proposed use of the building.

Only one such structure may be approved by the Zoning Administrator under these provisions.

6. Accessory Residential Buildings in all Residential Districts may be attached or detached. Detached accessory buildings shall be limited as follows:
   a. One (1) detached accessory residential building up to the maximum allowable size per parcel of five (5) acres or less.
   b. For each additional five (5) acres of parcel area, above five (5) acres, one (1) additional accessory building up to the maximum allowed floor area may be permitted, but not more than four (4) such buildings.
   c. In addition to the standards listed in 1) and 2) above, one (1) detached accessory building not to exceed 200 sq. ft. in ground floor area, may be permitted for such use as tool shed, wood storage, equipment housing, or animal shelter.

7. Existing accessory residential buildings shall be considered to be conforming buildings for the purposes of this Section.

B. ACCESSORY BUILDINGS (200 SQUARE FEET AND GREATER) AS A MAIN USE

1. In Residential Zoning Districts, customary accessory residential buildings two hundred (200) square feet and greater may be constructed without the requirement
for a main building subject to a Hearing and approval of the Site Plan by the Planning Commission when the following conditions are met:

a. The structure is sited in such a manner as to permit the construction of a legal main use at a future time, but shall be subject to the size limitations listed in Section 22.01.1 (A.4). For these regulations, rear yard shall refer to a location 100 feet or deeper from the front property line, which is also the road right-of-way line.

b. The structure is constructed of materials and is consistent with existing dwellings in the immediate vicinity so it does not have a devaluing influence, in the opinion of the Planning Commission. The applicant shall provide elevation sketches and floor plans of the proposed structure in order to assist in the determination of architectural variance.

c. The structure may be required to locate in such a manner as to attain natural screening by existing vegetation, or plantings may be required to at least partially screen the use from the view of adjoining properties and/or public roads.

d. All uses of the property must be in keeping with the residential or recreational use character of other properties in the immediate vicinity.

e. Buildings constructed under this Section shall not be used for any purposes except to store personal property related to permitted uses of the site, and such structures shall not be occupied by or used to house persons or animals (unless on a farm) or otherwise be a base for any activities not permitted in the district.

f. The applicant shall record an affidavit with the Register of Deeds stating the proposed use of the building. Such affidavit shall be recorded before issuance of a zoning permit.

2. In FF-1 or FF-2 Farm and Forest Zoning Districts, one customary accessory residential building may be constructed without the requirement for a main building subject to review by the Zoning Administrator in the FF-1 or FF-2 Zoning Districts who shall find:

a. The structure is sited in such a manner as to permit the construction of a legal main use at a future time, but shall be subject to the size limitations stated in Section 22.01.1(A.4). For these regulations, rear yard shall refer to a location 250 feet or deeper from the front property line, which is also the road right-of-way line.

b. The structure is constructed of materials and is consistent with existing dwellings in the immediate vicinity so it does not have a devaluing
influence, in the opinion of the Zoning Administrator. The applicant shall provide elevation sketches and floor plans of the proposed structure in order to assist in the determination of architectural variance.

c. The structure may be required to locate in such a manner as to attain natural screening by existing vegetation, or plantings may be required to at least partially screen the use from the view of adjoining properties and/or public roads.

d. All uses of the property must be in keeping with the residential or recreational use character of other properties in the immediate vicinity.

e. Buildings constructed under this Section shall not be used for any purposes except to store personal property related to permitted uses of the site, and such structures shall not be occupied by or used to house persons or animals (unless on a farm) or otherwise be a base for any activities not permitted in the district.

f. The applicant shall record an affidavit with the Register of Deeds stating the proposed use of the building. Such affidavit shall be recorded before issuance of a zoning permit.

22.01.2 Guest House

Guest Houses may be permitted as an accessory use in a Residential or Farm-Forest District provided sufficient parcel area can be provided so that the guest house can meet the lot size and yard requirements of the District.

22.01.3 Entranceway Gatehouses and Other Entrance Features

Structures marking entrances to subdivisions, condominiums, planned unit developments, and similar projects whether residential or non-residential are permitted in the front yard setback, and includes, walls, columns, gates, gatehouses and similar entrance markers. Gate houses shall meet the front yard setback standard of the Zoning District. No such structures shall constitute a visual safety hazard or impediment for persons entering, exiting, or passing by the entryway on adjacent streets (e.g. corner clearance).

22.01.4 Exemptions

The following uses of accessory buildings are exempt from size regulations under this Section.

A. Accessory buildings when legally constructed in connection with an approved main use that is other than residential.
B. Farm Use Buildings, as defined in Article 2 - Definitions. In the case of farm use buildings, a plot plan submitted to the Zoning Administrator illustrating compliance with zoning setback requirements will suffice for the zoning permit.

C. Accessory garages and carports in multiple family housing developments.

22.01.5 Exceptions
Where it can be demonstrated to the Planning Commission by the applicant that no good purpose would be served by strict compliance with the provisions of this Section 22.01, the Planning Commission may waive or modify said standards subject to a Public Hearing and approval of the Site Plan by the Planning Commission and notifications to adjoining property owners as required for a Special Land Use.

Section 26.16 Customary Accessory Building (greater than 200 square feet) without a Main Use

26.16.1 Residential Zoning Districts
Except as otherwise regulated, customary accessory residential buildings may be constructed without the requirement for a main building in all Zoning Districts subject to a Hearing and approval of the Site Plan by the Planning Commission when the following conditions are met:

A. The structure is sited in such a manner as to permit the construction of a legal main use at a future time, but shall be subject to the size limitations stated in Section 22.01. For these regulations, rear yard shall refer to a location 100 feet or deeper from the front property line, which is also the road right-of-way line. A plot plan shall be submitted showing where a future dwelling could be located on the parcel that, if built, would comply in all respects with this Ordinance.

B. The structure is constructed of materials and is of a design that is not so at variance with existing dwellings in the immediate vicinity as to have a devaluing influence, in the opinion of the Planning Commission. The applicant shall provide elevation sketches and floor plans of the proposed structure in order to assist in the determination of architectural variance.

C. The structure may be required to be located in such a manner as to attain natural screening by existing vegetation, or plantings may be required to at least partially screen the use from the view of adjoining properties and/or public roads.

D. All uses of the property must be in keeping with the residential or recreational use character of other properties in the immediate vicinity.

E. The applicant shall record an affidavit with the Register of Deeds stating the proposed use of the building.
26.16.2 FF-1 and FF-2 Districts:

One customary accessory residential building may be constructed without the requirement for a main building subject to review by the Zoning Administrator in the FF-1 or FF-2 Zoning Districts who shall find:

A. The structure is sited in such a manner as to permit the construction of a legal main use at a future time, but shall be subject to the size limitations stated in Section 22.01. For these regulations, rear yard shall refer to a location 250 feet or deeper from the front property line, which is also the road right-of-way line.

B. The structure is constructed of materials and is of a design that is not so at variance with existing dwellings in the immediate vicinity as to have a devaluing influence, in the opinion of the Zoning Administrator. The applicant shall provide elevation sketches and floor plans of the proposed structure in order to assist in the determination of architectural variance.

C. The structure may be required to locate in such a manner as to attain natural screening by existing vegetation, or plantings may be required to at least partially screen the use from the view of adjoining properties and/or public roads.

D. All uses of the property must be in keeping with the residential or recreational use character of other properties in the immediate vicinity.

E. Buildings constructed under this Section shall not be used for any purposes except to store personal property related to permitted uses of the site, and such structures shall not be occupied by or used to house persons or animals (unless on a farm) or otherwise be a base for any activities not permitted in the district.

F. The applicant shall record an affidavit with the Register of Deeds stating the proposed use of the building. Such affidavit shall be recorded before issuance of a zoning permit.

Section 19.01 Notes to Section 19.00

Minimum Side Yard, Exceptions: On nonconforming lots measuring sixty (60) feet in width or less, one side yard setback may be reduced to five (5) feet for one detached accessory residential building.

Section 22.00 General

Zoning Lots, Zoning Lot Occupancy, and Illegal Dwellings

C. ILLEGAL DWELLINGS: The use of any portion of a basement or partially completed structure for dwelling purposes shall not be permitted unless a temporary certificate of occupancy has been issued. Garages, accessory buildings, motor homes, recreational vehicles, recreational units, trucks, buses, or other such portable structures shall not be occupied for dwelling purposes except as otherwise allowed in this Ordinance.