

Chapter 18
ACCESSORY USES, STRUCTURES, AND BUILDINGS

SECTION:

11-18-1: Purpose

11-18-2: Accessory Structures and Buildings

11-18-3: Swimming Pools and Spas

11-18-4: Recreational Vehicles

XX-18-1: PURPOSE: The purpose of this chapter is to provide performance standards for the erection, siting, and use of accessory buildings, structures and uses that may be allowed within the various zoning districts to ensure compatibility with the principal use and with surrounding properties, as well as to protect the general health, safety, and welfare of the town. (Ord. 900, 18 Apr 22)

XX-18-2: ACCESSORY STRUCTURES AND BUILDINGS:

- A. Agricultural Buildings. Agricultural buildings that are exempt from obtaining a building permit shall obtain an administrative permit in accordance with chapter 8 of this ordinance prior to construction to ensure that the agricultural building complies with setbacks and other requirements of this ordinance.
- B. Maximum Height:
 - 1. On parcels less than 5 acres, an accessory structure may not exceed 25 feet in height, as measured from the ground floor to the highest point.
 - 2. On parcels 5 acres or more, an accessory structure may not exceed 35 feet in height, as measured from the ground floor to the highest point.
- C. Restricted Use. A detached accessory structure shall not be designed for living quarters and shall not occupy the only land available for sewer system replacement.
- D. Building Permit Required. Accessory buildings larger than 200 square feet shall require a building permit.
- E. Setbacks. All accessory structures, including those that do not require building permits, shall adhere to the setbacks established for the zoning district in which the parcel or lot is located.
- F. Area. Residential accessory structures are limited to the following area and no variance may be granted to the building size limitations provided in the section:

Unplatted Parcel or Lot Area		Maximum Area of Any One Structure	Maximum Lot Coverage for All Accessory Structures
Unplatted Parcels	Less than 2.5 acres	1,200 square feet	4 percent of lot area
	2.5 acres to 5.0 acres	1,800 square feet	
	Greater than 5.0 acres	5,500 square feet	
Platted Lots	Less than 2.5 acres	1,200 square feet	3 percent of lot area
	2.5 acres to 5.0 acres	1,800 square feet	
	Greater than 5.0 acres	5,500 square feet	

G. Shipping/Storage Containers and Semi-Trailers: Shipping/storage containers and semi-trailers are prohibited for use as an accessory structure on any platted lot and on non-platted residential lots less than 10 acres in area, except when used for the following purposes:

1. As a temporary storage unit for moving purposes for a period of not more than one consecutive month in a 12 month period; or
2. As a temporary construction project container not to exceed three consecutive months.
3. Shipping/storage containers and semi-trailers used for these purposes on platted lots shall comply with the parking requirements for vehicles provided for in chapter 21 of this ordinance. (Ord. 900, 18 Apr 22)

XX-18-3: SWIMMING POOLS AND SPAS:

- A. All below ground swimming pools and above ground pools holding over 5,000 gallons of water or with a flood rim or deck of at least 48 inches above the adjacent ground elevation require a building permit.
- B. Construction or alteration of swimming pools, wading pools, and spas requiring a building permit shall comply with the following regulations;
 1. All pools or spas requiring a building permit shall be enclosed and/or fenced, or covered with an automatic pool cover when not in use.
 - a. Fencing:
 - (1) Fencing shall be a minimum height of 48 inches above the adjacent grade elevation and shall have self-closing and self-latching devices

placed at the top of the gate or otherwise inaccessible to small children and provided with hardware for permanent locking devices for when the pool is not in use.

- (2) Fencing shall be chain link, vertical pickets or solid. Spaces between the bottom of the fence and the ground or between the pickets shall not exceed four inches.
 - b. Automatic pool covers shall meet the standards of F1246-91 (reapproved 1996) of the American society of testing and materials (ASTM), as such standards may be modified, superseded, or replaced by ASTM.
 - c. Fencing or automatic pool covers shall be installed prior to final inspection and filling the pool with water.
2. An above ground pool with a flood rim or deck of at least 48 inches above the adjacent ground elevation may be considered enclosed. In this case, ladders and/or stairs used to access an above ground pool shall be removable or enclosed, and secured or locked when not in use.
- C. All pool and spa related chemicals shall be stored inside the principal building or an accessory structure. (Ord. 900, 18 Apr 22)

XX-18-4: RECREATIONAL VEHICLES:

- A. One recreational vehicle (not to include mobile homes nor park trailers) shall be allowed for seasonal use on a lot without permanent dwelling unit provided that the following are met:
 - 1. Only one such unit is allowed per lot.
 - 2. Sewage shall be properly treated or hauled away.
- B. The recreational vehicle is for guests or recreational use only and shall not be occupied on any lot for more than 90 days in any calendar year.
- C. The recreational vehicle shall have a current license attached in accordance with state law.
- D. Placement of the recreational vehicle shall comply with all setback requirements of applicable zoning district, including overlay districts.

- E. A recreational vehicle, owned by a non-resident, guest, or visitor, may be parked or occupied by said guest or visitor on property on which a permanent dwelling unit is located for a period not to exceed 30 days in the same calendar year. (Ord. 900, 18 Apr 22)