

## **SECTION 18 - ACCESSORY BUILDINGS, STRUCTURES, USES AND EQUIPMENT**

### **Section**

- 18.01 Single Family Detached Uses**
- 18.02 Garages with Alley or Corner Lot Access**
- 18.03 Size**
- 18.04 Setbacks**
- 18.05 Time of Construction**
- 18.06 Building Materials**
- 18.07 Trash Receptacles**
- 18.08 Drive Through Facility**
- 18.09 Animal Enclosures**
- 18.10 Conditional Use Permits**

#### **18.01. SINGLE FAMILY DETACHED USES:**

Subd. 1. Except as may be specifically provided, no accessory use, building, structure or equipment shall be allowed within a required front yard. With the exception of a garage servicing a residential use, no accessory building or equipment may be placed within a front yard.

Subd. 2. In R-4 Zoning Districts, the total floor area of either an attached garage or a detached garage for a single family detached dwelling shall not exceed one thousand (1,000) square feet of floor area and not exceed the ground coverage of the dwelling, except by conditional use permit.

Subd. 3. Within the U-R and R Zoning Districts, no accessory building or structure, including a detached garage, for a single family dwelling shall equal more than thirty (30) percent of the area of the required rear yard, except by conditional use permit.

Subd. 4. Except in the U-R Zoning District, no building permit shall be issued for the construction of more than one (1) accessory building and/or structure, except by conditional use permit.

Subd. 5. Two accessory buildings not more than two hundred (200) square feet in floor area each shall be allowed with issuance of an accessory building permit, and shall comply with all other provisions of this Chapter.

**18.02. GARAGES WITH ALLEY OR CORNER LOT ACCESS:** Private garages having direct access onto an alley or public street adjacent to the side lot line of a corner lot shall be set back not less than twenty (20) feet from the lot line abutting the public right-of-way.

**18.03. SIZE:** Except in the case of single family detached dwellings, accessory buildings for all other uses shall not exceed thirty (30) percent of the gross floor area of the principal buildings. In those cases where this standard is proposed to be exceeded, a conditional use permit shall be required.

**18.04. SETBACKS:**

Subd. 1. Detached accessory buildings not exceeding two hundred (200) square feet in floor area may encroach into the required side or rear yard setbacks when located in the rear yard of the lot, except in the case of a side yard of a corner lot abutting a public street or a required buffer yard. When encroachment into required side or rear yard setbacks is allowed, such detached accessory building shall be set back at least five (5) feet from all adjoining lots.

Subd. 2. Detached accessory buildings exceeding two hundred (200) square feet in floor area may encroach into the required side or rear yard setbacks when located in the rear yard of a lot, except in the case of a side yard of a corner lot abutting a public street or a required buffer yard. When encroachment into required side or rear yard setbacks is allowed, such detached accessory buildings shall be setback at least ten (5) feet from all adjoining lots.

Subd. 3. All detached accessory buildings shall be set back at least ten (10) feet from the principal building on the same lot, and shall not be located within a drainage or utility easement.

Subd. 4. Attached Private Garages. A private garage attached to the principal building shall be subject to all building and setback requirements of the principal structure, except as provided for herein.

**18.05. TIME OF CONSTRUCTION:** No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.

**18.06. BUILDING MATERIALS:** Except in the U-R Zoning District, all accessory buildings in excess of two hundred (200) square feet that are accessory to residential dwelling units shall be constructed with a design consistent with the general character of the principal structure on the lot.

**18.07. TRASH RECEPTACLES:** Except as otherwise provided, all buildings having exterior trash receptacles shall provide an enclosed area in conformance with the following:

Subd. 1. Exterior wall treatment shall be similar and/or complement the principal building.

Subd. 2. The enclosed trash receptacle area shall be located in the rear or side yard and shall comply with the setback requirements of Section 18.04 of this Chapter.

Subd. 3. The trash enclosure shall be in an accessible location for servicing vehicles and shall not conflict with site circulation.

Subd. 4. The trash receptacles shall be fully screened from view of adjacent properties and the public right-of-way.

Subd. 5. The design and construction of the trash enclosure shall be subject to the approval of the Zoning Administrator.

Subd. 6. Recycling space shall be provided as required by the Minnesota State Building Code.

Subd. 7. Noise emanating from trash collection activities shall be minimized so as not to constitute a nuisance as defined and regulated by the City Code.

18.08. DRIVE THROUGH FACILITIES: Where allowed, drive through facilities shall comply with the following:

Subd. 1. The facility shall be located only on a site having direct access to a minor arterial street, collector or service road.

Subd. 2. All portions of the business with drive through facilities established 1 July 2000, including but not limited to, the building in which they are located, service windows and stacking spaces, shall be located across an arterial or collector street from residentially zoned or guided property, or shall be set back at least three hundred (300) feet from residentially zoned or guided property.

Subd. 3. The facility's public address system shall not be audible from any adjacent residentially zoned or guided property and comply with Section 16.11 of this Chapter.

Subd. 4. Businesses with one (1) drive through lane shall provide stacking space for at least ten (10) vehicles, and businesses with two (2) or more drive through lanes shall provide stacking space for at least six (6) vehicles per lane, as measured from and including the last pick up station, window, or the like. Stacking spaces shall not interfere with parking spaces or traffic circulation.

Subd. 5. The applicant shall demonstrate that such use will not significantly lower the existing level of service on streets and intersections.

Subd. 6. Alcoholic beverages shall not be sold or served.

Subd. 7. All elements of the drive through service area, including but not limited to menu boards, order stations, teller windows, and vehicle lights from the stacking lanes, shall be screened from adjacent residentially zoned or guided property pursuant to Section 19.03 of this Chapter.

18.09. ANIMAL ENCLOSURES:

Subd. 1. Domestic animal enclosures shall not be placed in the front yard or in the side yards abutting a street, shall not be placed closer than ten (10) to any property line, and shall not be placed closer than twenty-five (25) feet to any dwelling unit other than on the owner's property.

Subd. 2. No encroachment shall be permitted in existing or required drainage and utility easements.

Subd. 3. Screening and/or a hard surface will be required if problems occur with appearance, noise, odor, and sanitation as determined by the Zoning Administrator.

Subd. 4. No such enclosure shall exceed one hundred twenty (120) square feet, unless approved through an administrative permit.

18.10. CONDITIONAL USE PERMITS: Application for a conditional use permit under this section shall be regulated by Section 4 of this Chapter. Such a conditional use permit for an accessory structure may be granted provided that:

Subd. 1. There is a demonstrated need and potential for continued use of the structure for the purpose stated.

Subd. 2. In the case of residential uses, no commercial or home occupation activities are conducted on the property.

Subd. 3. The building has an evident reuse or function related to the principal use.

Subd. 4. The accessory building shall be maintained in a manner that is compatible with the adjacent residential uses and does not present a hazard to public health, safety and general welfare.