

The district Health Department shall determine the best location for a water well and/or septic system, regardless of ordinance regulations.

4. Application for the erection and use of a temporary dwelling shall be made at the time of permit application for the permanent dwelling. No such permit shall be transferable to any other person.
5. No annexes or additions shall be added to temporary dwellings.

**C. Dwelling as Sales Office.**

The Zoning Administrator may authorize a certification for a dwelling house to be temporarily used as a sales and management office for the sale of homes within a subdivision for a period of one (1) year, provided all of the following requirements are complied with:

1. The house to be used as such office is built upon a lot approved as part of the approved subdivision or development and is of substantially similar design as those houses to be sold within the subdivision or development.
2. No retail sales or business other than that accessory to the management and sales of the land in the subdivision owned by the applicant shall be permitted.
3. Said dwelling house shall meet all other zoning restrictions of the zone in which it is located.

**Section 3.11 Permitted Yard Encroachments**

The yard requirements of all districts are subject to the following permitted encroachments:

- A. Terraces, patios and similar structures at ground level, may project into a setback as required herein, provided that such structure is unroofed and without walls or other continuous enclosures. Attached, above ground decks shall be considered an integral part of the building and shall be subject to all yard requirements thereof.
- B. Chimneys, flues, cornices, gutters, overhangs, bay windows, attached or inserted air conditioning or heating units, electrical and utility mechanisms and similar features may project into any required setback a maximum of twenty-four (24) inches.

**Section 3.12 Accessory Buildings (Structures)**

Accessory buildings in the Single Family Residential (R-1), General Residential (R-2), General Residential Association (R-3), and Recreational-Forest (R-F) districts shall be subject to the following regulations:

**A. General Standards for All Accessory Structures.**

1. **Relationship to Main Structure.** No detached accessory building(s) shall be located closer than fifteen (15) feet to any main structure.

2. **Front Yard.** Accessory buildings shall not be erected in the front yard, except in the Recreational Forest (R-F) District, where an accessory building may be in the front yard if it meets the minimum required front yard setback.
3. Prefabricated metal parking structures or metal/fabric structures are considered accessory structures and must conform to ordinance and building regulations.
4. **Accessory Building as a Dwelling.** No detached accessory building shall be used for dwelling purposes unless otherwise permitted in this Ordinance.

**B. Portable Accessory Structures 200 ft<sup>2</sup> or less.**

1. **Permit.** No zoning permit is required.
2. **Setback.** Portable accessory buildings of 200-square-feet or less may be placed within three (3) feet of any lot line, regardless of setback requirements, and are not considered in calculating required yard usage or ground floor area.
3. **Number.** One (1) portable accessory building may be placed on any lot of one and one-quarter (1 ¼) acres or less. Lots of more than one and one-quarter (1 ¼) acres may have two (2) portable accessory structures.
4. **Doors.** The doors of all portable accessory buildings must open onto the owner's property.
5. **Location.** Portable accessory buildings shall not be closer than fifteen (15) feet from any other structure.
6. **Height.** Portable accessory buildings may not exceed eight-feet (8) in height.

**C. Permanent Accessory Buildings and Portable Accessory Buildings over 200 ft<sup>2</sup>.**

1. **Permit.** A zoning permit is required.
2. **Attached to Main Building.** Where the accessory building is structurally attached to a main building, it shall be subject to, and must conform to, all yard regulations applicable to principal buildings.
3. **Side & Rear Yard Setbacks.** A permanent accessory building or portable accessory building over 200 square feet shall not be located closer than ten (10) feet from a side or rear lot line, except corner lots where minimum side yard setback along the street shall be thirty (30) feet.
4. **Number.** In no instances shall more than two (2) permanent accessory buildings or portable accessory building over 200 square feet be located on one (1) acre or less. A lot size greater than one (1) acre is allowed three (3) permanent accessory buildings or portable accessory building over 200 square feet.

5. **Size.** Detached, permanent accessory building(s) or portable accessory buildings over 200 square feet shall not occupy more than twenty five percent (25%) of a rear yard, provided that in no instance shall the ground floor area of the permanent accessory building(s) or portable accessory building over 200 square feet, in combination, exceed the ground floor area of the dwelling unit, except in the R-F District, where the ground floor area of each permanent accessory building or portable accessory building over 200 square feet shall not exceed two hundred percent (200%) of the ground floor area of the dwelling unit (**See 3.12F**).
6. **Location.** The location shall not be closer than fifteen (15) feet from any other structure.
7. **Height.** No permanent accessory building or portable accessory building over 200 square feet may exceed twenty-five (25) feet in height, except in the R-F District, where permanent accessory buildings may not be more than thirty-five (35) feet in height.

**D. Guesthouses (Accessory Dwelling Units).**

Guesthouses/Accessory Dwelling Units are regulated by **Section 7.29**. For the purposes of this ordinance, guesthouses/accessory dwelling units are considered a residential use and must conform to current residential construction standards.

**E. Pumphouses.**

Pumphouses may be permitted in any district if no more than nine (9) square feet in area and not more than three (3) feet in height.

**F. Accessory Buildings for Non-Commercial Equestrian-Related Activities.**

1. Accessory buildings for the purpose of indoor horseback riding (arenas) may be constructed in the R-F zone only, with Planning Commission approval. Arenas may be multi-purpose incorporating normal equestrian related uses, such as tackroom, stall spaces, feed storage, and similar uses. The Planning Commission may grant deviations for setbacks, size, and yard requirements, as needed.
2. Shelters for the purpose of protecting horses in pasturage and forage areas may be constructed without regard to the requirements of **3.12.C.4** and **3.12.C.5** so long as the shelters have no foundations and are less than four-sided. Shelters must be large enough to protect all the horses in the pasture from inclement weather. Shelters large enough for more than four horses shall be included in the Planning Commission request.

**G. Accessory Buildings on Vacant Parcels.**

1. **R-3 District.** One customary accessory building shall be allowed, including a one-stall garage, or a gazebo, picnic shelter, storage shed, etc. without a permanent dwelling, but must have a ground floor area equal to or less than 384 square feet.

2. **All Other Districts (other than R-3).** Portable accessory buildings or permanent accessory buildings under two hundred (200) square feet shall be allowed on vacant parcels.

#### H. Nontraditional Storage Facilities.

1. Truck bodies, school bus bodies, mobile homes, travel trailers or other items built and intended for other uses shall not be used as permanent accessory buildings.
2. **Shipping Containers.** Shipping containers may be allowed in the R-F District only and shall be used as accessory buildings for storage purposes only. Shipping containers shall be not be utilized for any dwelling purposes. Shipping containers shall be either painted to blend in with the natural landscape or covered in a siding material that would typically be utilized for a main building.

### Section 3.13 Travel Trailers & Recreational Vehicles

#### A. Storage on Lot Containing Dwelling Unit.

In all districts, travel trailers and recreational vehicles may be stored on a lot or parcel of land containing a dwelling unit provided:

1. The travel trailer or recreational vehicle shall carry current state license plates.
2. One travel trailer or recreational vehicle may be stored in the rear or side yard of a lot containing a permanent dwelling no nearer than five (5) feet from the side or rear lot lines. On lots with a two-family dwelling, one recreational vehicle per dwelling unit may be stored.
3. The travel trailer or recreational vehicle is not connected to water and sewer services.
4. The unit is not used for dwelling purposes exceeding ninety (90) days in a calendar year.
5. The open storage of a travel trailer or recreational vehicle shall not occur on vacant or unimproved property, except as provided in (B).

#### B. Storage on Vacant Lot.

1. In the R-F District only, one travel trailer or recreational vehicle may be located on an unimproved lot or otherwise vacant property, subject to the following conditions:
  - a. Placement on the property and use of the unit shall not exceed ninety (90) days in a calendar year, with due regard to yard requirements for the district.
  - b. Sanitation facilities must meet the requirements of, and be approved by the District Health Department.
  - c. The travel trailer or recreational vehicle shall carry current state license plates.
  - d. A permit must be obtained from the Zoning Administrator.
2. In the R-3 District, all non-permitted recreational vehicles, including snowmobiles, off-road motorcycles, bicycles, boats, trailers (including utility trailers), etc. must be kept within a garage or storage building.