



**BUILDING INSPECTION DEPARTMENT**  
**407 EAST FIRST STREET**  
**Phone 972.346.3502**

## **ACCESSORY STRUCTURES**

All contractors are responsible for complying with the most current zoning and building codes in effect. The following is required with a permit application submittal:

Before an accessory structure may be constructed and/or installed in the Town, a permit must be obtained from the Town. Incomplete permit applications will not be accepted and/or processed. Each permit application must contain the following information:

1. Three (3) construction plans, no smaller than eleven inches (11”) by seventeen inches (17”). The plans shall indicate the location of the accessory structure in relation to property lines and the distance any detached accessory structures will be from any other accessory structures and the main structure. Existing drainage on the lot shall not be modified where it will create a nuisance to an adjacent property or right-of-way.
2. Three (3) site plans indicating the location of the accessory structure in relation to property lines and the distance any detached accessory structures will be from any other accessory structures and the main structure. Only the most current survey will be accepted as a site plan. Builder plot plans or other conceptual drawings provided by the property owner will not be accepted.

If a septic property, Three (3) site plans indicating the location of the accessory structure in relation to the septic tanks and spray heads. All construction plans on septic properties require a copy of the septic as-builts to be provided.

3. Accessory Structures cannot be located within any drainage swales and/or designated drainage flows or easement of any type or designation.
4. All Mechanical, Electrical and Plumbing subcontractors shall be listed as part of the application. The general contractor and all sub-contractors must be registered with the town and in good standing prior to any permit application submittal.
5. All foundations greater than one hundred sixty square feet (160 sqft) shall be an engineered design. Currently foundation inspections are performed by the engineering firm (3<sup>rd</sup> party) that designed your foundation. You must obtain an approved/passed (Green) tag for your foundation from the 3<sup>rd</sup> party inspection firm, and then you shall call in for your foundation inspection from the Building Inspections Department. Do not call for an inspection if you do not have your approved/passed (Green) tag on the jobsite. **Inspection tags can not have any items listed for correction.** (Exception: Clean out beams or clean cave-ins)

All contractors wishing to construct accessory structures must adhere to the Town’s zoning code requirements as outlined below, or as amended.

## ACCESSORY BUILDINGS AND USES

In a residential Zoning District, an accessory building is a subordinate or incidental building, attached to or detached from the main building without separate kitchen facilities, not used for commercial purposes and not rented. A Garage Apartment and a Guest House may include kitchen facilities, but shall not be used for commercial purposes and shall not be rented.

In other Zoning Districts, an accessory building is a subordinate building, the use of which is incidental to and used only in conjunction with the main building.

A Guest House shall be permitted in the A through DTR Districts as an incidental residential use of a building on the same lot or tract as the main dwelling unit and used by the same person or persons of the immediate family and shall meet the following standards:

- A. The Guest House must be constructed to the rear of the main dwelling, separate from the main dwelling. A lot must have a minimum of one-half ( $\frac{1}{2}$ ) acre for a Guest House to be permitted.
- B. The Guest House may be constructed only upon issuance of a Building Permit.
- C. The Guest House may not be sold separately from sale of the entire property, including the main dwelling unit, and shall not be sub-let.
- D. Setback requirements shall be the same as for the main structure.

## AREA REGULATIONS FOR ACCESSORY BUILDINGS IN RESIDENTIAL AND MULTIFAMILY DISTRICTS

A. Accessory building yard requirements in the MF District shall be the same as the main building unless approved by the Planning & Zoning Commission on a preliminary site plan for the multifamily development. Accessory building yard requirements for all other residential Zoning Districts shall be as set forth below.

### B. Size of Yards:

1. **Front Yard:** Detached front accessory buildings shall have a front yard not less than the main building or as specified in the particular Zoning District.
2. **Side Yard:** There shall be a side yard not less than three (3) feet from any side lot line, or alley line for any accessory building provided that such building is separated from the main building by a minimum distance of ten (10) feet. In the case of an accessory building being closer than ten (10) feet to the main building, the minimum side yard requirements for the main building shall be observed. Accessory buildings adjacent to a side street shall have a side yard not less than fifteen (15) feet. Garages located and arranged so as to be entered from the side yard shall have a minimum distance of twenty (20) feet from the side lot line, alley line, or easement line. Carports or garages arranged to be entered from the side yard, facing a public street, shall have a minimum distance equal to the required front yard for the main building.
3. **Rear Yard:** There shall be a rear yard not less than three (3) feet from any lot line or alley line, or easement line, except that;
  - a. If no alley exists, the rear yard shall be not less than ten (10) feet as measured from the rear lot line;
  - b. Carports, garages, or other accessory buildings, located within the rear portion of a lot as heretofore described, constructed closer than ten (10) feet to the main building, shall have a rear yard equivalent to the rear yard requirement for the main building;
  - c. Accessory buildings constructed ten (10) feet or more from the main building shall have a rear yard of three (3) feet. If an alley exists, accessory buildings may be

located within three (3) feet of a rear lot line if the height of the building is no greater than eight (8) feet and a solid fence or wall of the same height shall be built on the rear lot line to screen the building from property located to the rear;

- d. Garages arranged so as to be entered by a motor vehicle from an alley or rear alley easement shall be set back from the rear yard or alley easement line a minimum distance of twenty (20) feet.

### **ACCESSORY BUILDINGS IN MH DISTRICT**

In the MH District, no carport, garage, storage building, office, or caretaker's dwelling, laundry house, or other permitted structure may be located nearer than ten (10) feet to any side or rear property line. Such structures shall also be subject to front yard requirements above.

### **DETACHED GARAGE AND ACCESSORY BUILDING CONSTRUCTION (Amended by Ordinance No. 06-05)**

- A. The exterior facades of a detached garage or other accessory building or structure greater than one hundred and sixty (160) square feet shall be subject to the same exterior construction material(s) requirements as the main building or structure.
- B. An accessory building that is larger than one hundred and sixty (160) square feet may be vinyl, cementitious fiber board, or factory coated decorative metal if the wall height of the building does not exceed fourteen (14) feet and if three (3) of the following six (6) conditions are met:
  1. A minimum three (3) foot high wainscoting is provided on all sides, excluding windows and doors,
  2. Divided light windows are provided on at least two sides of the building,
  3. A minimum roof pitch of four (4) in twelve (12) is provided,
  4. A cupola is provided,
  5. One (1) tree, a minimum size of one (1) caliper inch, is planted every twenty (20) feet, or portion thereof, along the longest sides of the building, or
  6. A minimum twenty (20) foot side yard setback is provided
- C. Metal or wood may be used as an exterior construction material for an accessory building or structure of one hundred and sixty (160) square feet or less in an SF or 2F District.
- D. Cementitious fiber board may be used to fulfill masonry requirements for structures accessory to an existing structure constructed entirely of wood or vinyl siding.