

Accessory Buildings/Detached Garages/Sheds

Sec. 40-149. Exempt work. (No building allowed in the ESA, Conservancy, wetlands, flood zone or drainage/utility easement areas)

The work set forth in this section is exempt from the permit requirements specified in [section 40-148](#). Notwithstanding permit requirements, however, such work shall comply with all other applicable rules, standards and zoning regulations set forth in this Code.

(3) Residential accessory buildings and storage sheds **less than 100** square feet in floor area.

Sec. 50-856. - Applicability.

In addition to the specific zoning district regulations established elsewhere in this chapter, the general requirements in this division shall apply to all accessory buildings and uses.

Sec. 50-857. - Compatibility and time of construction.

Accessory buildings and uses shall be compatible with the principal use of the property and shall not be constructed or established prior to the establishment of the principal use.

Sec. 50-858. - Occupancy of yards.

Accessory buildings shall not occupy more than 30 percent of the area of a required yard. Furthermore, accessory buildings together with permitted obstructions as specified in [section 50-905](#) shall not, in the aggregate, occupy more than 50 percent of the area of a required yard.

Sec. 50-862. - Location of buildings (R-1 through R-3). (No building allowed in the ESA, Conservancy, wetlands, flood zone or drainage/utility easement areas)

In the R-1, R-2, and R-3 zoning districts, accessory buildings shall not be located in front of or closer to a street right-of-way than the principal building or structure and shall comply with the following setback requirements:

(1) *Standard lots.* On lots with an area of 12,150 square feet or more, accessory buildings shall not be located closer than **five feet** to any side or rear property line.

(2) *Substandard lots.* On lots with an area greater than or equal to 9,720 square feet and less than 12,150 square feet, accessory buildings shall not be located closer than **four feet** to any side or rear property line. On lots with an area less than 9,720 square feet, accessory buildings shall not be located closer than three feet to any side or rear property line.

Sec. 50-859. - Number of buildings.

In residential zoning districts, with the exception of multifamily developments, the number of detached residential accessory buildings permitted on a lot shall be regulated as follows:

Attached garage. On lots where at least one attached garage space (as defined in [section 50-6](#)) is included within the principal dwelling on the property, not more than one detached garage or residential accessory storage building shall be permitted per lot.

(2) *Detached garage.* On lots where no attached garage space (as defined in [section 50-6](#)) is included within the principal dwelling on the property, not more than two detached garages or residential accessory storage buildings shall be permitted per lot.

Sec. 50-860. - Size of buildings.

In residential zoning districts, with the exception of multifamily developments, accessory buildings shall comply with the following size regulations:

(1) *Attached garage, high-density.* In the R-1, R-2, R-3 and R-4 zoning districts, on lots where at least one attached garage space (as defined in [section 50-6](#)) is included within the principal dwelling on the property, the floor area of the accessory

building permitted in [section 50-859\(1\)](#) shall not exceed five percent of the area of the lot or 1,024 square feet, whichever is less.

(2) *Attached garage, low-density.* In the R-5 zoning district, on lots greater than or equal to 1½ acres in gross area and where at least one attached garage space (as defined in [section 50-6](#)) is included within the principal dwelling on the property, the floor area of the accessory building permitted in [section 50-859\(1\)](#) shall not exceed five percent of the area of the lot or 1,600 square feet, whichever is less.

(3) *Detached garage.* On lots where no attached garage space (as defined in [section 50-6](#)) is included within the principal dwelling on the property, the accumulated floor area of the accessory buildings permitted in [section 50-859\(2\)](#) shall not exceed ten percent of the area of the lot or 2,224 square feet, whichever is less.

Sec. 50-861. - Height of buildings.

On all lots in the R-1, R-2, R-3 and R-4 zoning districts and on any lot in the R-5 zoning district having a gross area of less than one and one-half acres, accessory buildings shall comply with the following height regulations:

(1) *Vertical height.* The vertical height of accessory buildings shall not exceed the lesser of the following:

- a. 23 feet;
- b. The height of the principal building on the property;
- c. The dimension of its shortest horizontal overall building width or depth.

(2) *Wall height.* No accessory building shall have side walls exceeding ten feet in height.

(3) *Door height.* No accessory building shall have a door exceeding ten feet in height.

(4) *Floor levels.* No accessory building shall consist of more than one floor level. For the purposes of this subsection, a floor level is defined as those areas of a building having a floor to ceiling height of seven feet or more.

Sec. 50-862. - Location of buildings (R-1 through R-3).

In the R-1, R-2, and R-3 zoning districts, accessory buildings shall not be located in front of or closer to a street right-of-way than the principal building or structure and shall comply with the following setback requirements:

(1) *Standard lots.* On lots with an area of 12,150 square feet or more, accessory buildings shall not be located closer than five feet to any side or rear property line.

(2) *Substandard lots.* On lots with an area greater than or equal to 9,720 square feet and less than 12,150 square feet, accessory buildings shall not be located closer than four feet to any side or rear property line. On lots with an area less than 9,720 square feet, accessory buildings shall not be located closer than three feet to any side or rear property line.

Sec. 50-863. - Location of buildings (R-4).

In the R-4 zoning district, accessory buildings shall not be located in front of or closer to a street right-of-way than the principal building or structure or closer than ten feet to any side or rear property line.

Sec. 50-866. - Proximity to other buildings.

Accessory buildings and structures shall be located no closer than ten feet to any other accessory or principal building.

Sec. 50-114. - Plat or survey requirements. All requests for zoning approval shall be accompanied by a recorded subdivision plat or certified survey map of the lot or parcel of land upon which such development is proposed, unless such recorded plat or survey is on file with the village department of code administration. Neither of the above are on file and a recorded "Retracement" Certified Survey Map on the property shall be submitted prior to occupancy or use of the building.

DIVISION 3. - ACCESSORY BUILDINGS AND USES

Sec. 50-856. - Applicability.

Sec. 50-857. - Compatibility and time of construction.

Sec. 50-858. - Occupancy of yards.

Sec. 50-859. - Number of buildings.

Sec. 50-860. - Size of buildings.

Sec. 50-861. - Height of buildings.

Sec. 50-862. - Location of buildings (R-1 through R-3).

Sec. 50-863. - Location of buildings (R-4).

Sec. 50-864. - Private swimming pools.

Sec. 50-865. - Corner lots.

Sec. 50-866. - Proximity to other buildings.

Sec. 50-867. - Home occupations.

Sec. 50-868. - Use of buildings.

Sec. 50-869. - Building design.

Secs. 50-870—50-897. - Reserved.

Sec. 50-856. - Applicability.

In addition to the specific zoning district regulations established elsewhere in this chapter, the general requirements in this division shall apply to all accessory buildings and uses.

(Comp. Ords. 2000, § 17.03(11); Ord. No. 03-22, §§ 1, 2, 9-22-2003; Ord. No. 2006-04, § 1, 1-23-2006; Ord. No. 2006-05, § 1, 1-23-2006; Ord. No. 2006-14, §§ 1, 2, 4-24-2006)

Sec. 50-857. - Compatibility and time of construction.

Accessory buildings and uses shall be compatible with the principal use of the property and shall not be constructed or established prior to the establishment of the principal use.

(Comp. Ords. 2000, § 17.03(11)(a); Ord. No. 03-22, §§ 1, 2, 9-22-2003; Ord. No. 2006-04, § 1, 1-23-2006; Ord. No. 2006-05, § 1, 1-23-2006; Ord. No. 2006-14, §§ 1, 2, 4-24-2006)

Sec. 50-858. - Occupancy of yards.

Accessory buildings shall not occupy more than 30 percent of the area of a required yard. Furthermore, accessory buildings together with permitted obstructions as specified in [section 50-905](#) shall not, in the aggregate, occupy more than 50 percent of the area of a required yard.

(Comp. Ords. 2000, § 17.03(11)(b); Ord. No. 03-22, §§ 1, 2, 9-22-2003; Ord. No. 2006-04, § 1, 1-23-2006; Ord. No. 2006-05, § 1, 1-23-2006; Ord. No. 2006-14, §§ 1, 2, 4-24-2006)

Sec. 50-859. - Number of buildings.

In residential zoning districts, with the exception of multifamily developments, the number of detached residential accessory buildings permitted on a lot shall be regulated as follows:

(1) *Attached garage.* On lots where at least one attached garage space (as defined in [section 50-6](#)) is included within the principal dwelling on the property, not more than one detached garage or residential accessory storage building shall be permitted per lot.

(2) *Detached garage.* On lots where no attached garage space (as defined in [section 50-6](#)) is included within the principal dwelling on the property, not more than two detached garages or residential accessory storage buildings shall be permitted per lot.

(Comp. Ords. 2000, § 17.03(11)(c); Ord. No. 03-22, §§ 1, 2, 9-22-2003; Ord. No. 2006-04, § 1, 1-23-2006; Ord. No. 2006-05, § 1, 1-23-2006; Ord. No. 2006-14, §§ 1, 2, 4-24-2006; Ord. No. 2011-7, § 1, 3-28-2011)

Sec. 50-860. - Size of buildings.

In residential zoning districts, with the exception of multifamily developments, accessory buildings shall comply with the following size regulations:

(1) *Attached garage, high-density.* In the R-1, R-2, R-3 and R-4 zoning districts, on lots where at least one attached garage space (as defined in [section 50-6](#)) is included within the principal dwelling on the property, the floor area of the accessory building permitted in [section 50-859](#)(1) shall not exceed five percent of the area of the lot or 1,024 square feet, whichever is less.

(2) *Attached garage, low-density.* In the R-5 zoning district, on lots greater than or equal to 1½ acres in gross area and where at least one attached garage space (as defined in [section 50-6](#)) is included within the principal dwelling on the property, the floor area of the accessory building

permitted in section 50-859(1) shall not exceed five percent of the area of the lot or 1,600 square feet, whichever is less.

(3) *Detached garage.* On lots where no attached garage space (as defined in section 50-6) is included within the principal dwelling on the property, the accumulated floor area of the accessory buildings permitted in section 50-859(2) shall not exceed ten percent of the area of the lot or 2,224 square feet, whichever is less.

(Comp. Ords. 2000, § 17.03(11)(d); Ord. No. 03-22, §§ 1, 2, 9-22-2003; Ord. No. 2006-04, § 1, 1-23-2006; Ord. No. 2006-05, § 1, 1-23-2006; Ord. No. 2006-14, §§ 1, 2, 4-24-2006)

Sec. 50-861. - Height of buildings.

On all lots in the R-1, R-2, R-3 and R-4 zoning districts and on any lot in the R-5 zoning district having a gross area of less than one and one-half acres, accessory buildings shall comply with the following height regulations:

(1) *Vertical height.* The vertical height of accessory buildings shall not exceed the lesser of the following:

- a. 23 feet;
- b. The height of the principal building on the property;
- c. The dimension of its shortest horizontal overall building width or depth.

(2) *Wall height.* No accessory building shall have side walls exceeding ten feet in height.

(3) *Door height.* No accessory building shall have a door exceeding ten feet in height.

(4) *Floor levels.* No accessory building shall consist of more than one floor level. For the purposes of this subsection, a floor level is defined as those areas of a building having a floor to ceiling height of seven feet or more.

(Comp. Ords. 2000, § 17.03(11)(e); Ord. No. 03-22, §§ 1, 2, 9-22-2003; Ord. No. 2006-04, § 1, 1-23-2006; Ord. No. 2006-05, § 1, 1-23-2006; Ord. No. 2006-14, §§ 1, 2, 4-24-2006; Ord. No. 2011-7, § 2, 3-28-2011)

Sec. 50-862. - Location of buildings (R-1 through R-3).

In the R-1, R-2, and R-3 zoning districts, accessory buildings shall not be located in front of or closer to a street right-of-way than the principal building or structure and shall comply with the following setback requirements:

(1) *Standard lots.* On lots with an area of 12,150 square feet or more, accessory buildings shall not be located closer than five feet to any side or rear property line.

(2) *Substandard lots.* On lots with an area greater than or equal to 9,720 square feet and less than 12,150 square feet, accessory buildings shall not be located closer than four feet to any side or rear property line. On lots with an area less than 9,720 square feet, accessory buildings shall not be located closer than three feet to any side or rear property line.

(Comp. Ords. 2000, § 17.03(11)(f); Ord. No. 03-22, §§ 1, 2, 9-22-2003; Ord. No. 2006-04, § 1, 1-23-2006; Ord. No. 2006-05, § 1, 1-23-2006; Ord. No. 2006-14, §§ 1, 2, 4-24-2006)

Sec. 50-863. - Location of buildings (R-4).

In the R-4 zoning district, accessory buildings shall not be located in front of or closer to a street right-of-way than the principal building or structure or closer than ten feet to any side or rear property line.

(Comp. Ords. 2000, § 17.03(11)(g); Ord. No. 03-22, §§ 1, 2, 9-22-2003; Ord. No. 2006-04, § 1, 1-23-2006; Ord. No. 2006-05, § 1, 1-23-2006; Ord. No. 2006-14, §§ 1, 2, 4-24-2006)

Sec. 50-864. - Private swimming pools.

Except as specifically permitted for hot tubs, spas, whirlpools and similar equipment in [section 40-310](#), building code, no private swimming pool shall be located in front of or closer to a street right-of-way than the principal building or use served and the water line of such private swimming pool shall not be located closer than ten feet to a side or rear property line or to any other building. See [chapter 40](#), building code, for additional regulations regarding private swimming pools. For the purposes of this chapter, private swimming pools may be permitted in residential zoning districts in addition to the accessory buildings allowed in [section 50-859](#).

(Comp. Ords. 2000, § 17.03(11)(h); Ord. No. 03-22, §§ 1, 2, 9-22-2003; Ord. No. 2006-04, § 1, 1-23-2006; Ord. No. 2006-05, § 1, 1-23-2006; Ord. No. 2006-14, §§ 1, 2, 4-24-2006)

Sec. 50-865. - Corner lots.

On corner lots, accessory buildings shall conform to the corner side yard setback regulations specified for the zoning district in which such building is located.

(Comp. Ords. 2000, § 17.03(11)(i); Ord. No. 03-22, §§ 1, 2, 9-22-2003; Ord. No. 2006-04, § 1, 1-23-2006; Ord. No. 2006-05, § 1, 1-23-2006; Ord. No. 2006-14, §§ 1, 2, 4-24-2006)

Sec. 50-866. - Proximity to other buildings.

Accessory buildings and structures shall be located no closer than ten feet to any other accessory or principal building.

(Comp. Ords. 2000, § 17.03(11)(j); Ord. No. 03-22, §§ 1, 2, 9-22-2003; Ord. No. 2006-04, § 1, 1-23-2006; Ord. No. 2006-05, § 1, 1-23-2006; Ord. No. 2006-14, §§ 1, 2, 4-24-2006)

Sec. 50-869. - Building design.

The exterior of accessory buildings exceeding 100 square feet in floor area, including the roof, shall substantially complement the principal dwelling on the property or be an enhancement to the neighborhood.

(Ord. No. 2011-7, § 4, 3-28-2011)

Sec. 40-149. - Exempt work.

The work set forth in this section is exempt from the permit requirements specified in [section 40-148](#). Notwithstanding permit requirements, however, such work shall comply with all other applicable rules, standards and zoning regulations set forth in this Code.

(1) Alterations and repairs required for the maintenance and upkeep of any building or structure which do not:

- a. Exceed a labor and materials cost of \$2,000.00;
- b. Involve a change of building use;
- c. Affect structural strength, fire hazards, exits or natural lighting;
and
- d. Involve the replacement of space heating, ventilating, cooling, water heating or other major equipment.

(2) Siding and roofing repair or replacement on one-family and two-family dwellings.

(3) Residential accessory buildings and storage sheds less than 100 square feet in floor area.

(4) Residential wood decks with floor surfaces 24 inches or less above adjacent grade level.

(5) Satellite dish antennas intended for private residential use.

(6) Fences.

(7) Short-term temporary buildings as specified in [section 50-1011](#)

(8) Buildings and structures not within the scope of this chapter.

(Comp. Ords. 2000, § 14.05(2))