

- (c) Should a non-conforming building or structure be moved for any reason and for any distance, it shall be moved to a location which complies with the requirements of this Ordinance.
- (2) None of the provisions of this section are meant to preclude normal repairs and maintenance on any non-conforming building or structure that would prevent strengthening or correcting of any unsafe condition of the building or structure.
- (E) The city may acquire, through purchase or condemnation, private non-conforming, buildings, structures, or land. The City Council may make this purchase of private property in the manner provided for by law.

## **SECTION 2.2      ACCESSORY BUILDINGS, STRUCTURES, AND USES**

For purposes of this section, an accessory building is considered to be detached from the main building unless it is an integral part of the main building or is attached by a fully enclosed breezeway of not more than ten (10) feet in length. All accessory buildings shall be subject to the following regulations, as applicable:

- (A) Accessory buildings shall not be erected in any front yard, or required side yard unless otherwise provided in this section. In the case of corner lots, both sides abutting the street right-of-way shall be considered front yards. This subsection, however, shall not apply to carports or rows of garages located within multiple family housing developments.
- (B) No detached accessory building shall be located closer than ten (10) feet to any main building.
- (C) The eave line of a detached accessory building shall not be located closer than five (5) feet to any side or rear lot line, unless otherwise provided in this section.
- (D) In the R-2 and R-3 zone districts, the eave line of a detached accessory building shall not be located closer than three (3) feet to any side or rear lot line, unless otherwise provided in this section.
- (E) No accessory building shall be used in any part for residential dwelling or sleeping purposes.
- (F) Any accessory building with an area greater than one hundred twenty (120) square feet shall be permanently constructed on a concrete foundation and shall conform to all applicable building and other similar codes for such a structure. The architectural character of all such accessory buildings shall be compatible with, and similar to, the main building with respect to materials, scale, design, and aesthetic quality as determined by the Zoning Administrator.

- (G) No accessory building shall be permitted on any lot which does not contain a main building.
- (H) No accessory building shall occupy any portion of a required green belt or buffer.
- (I) The maximum height of a detached accessory building shall be determined as follows:
  - (1) The maximum height of the exterior side walls, measured from the finished floor to the top of the wall plate shall not exceed nine (9) feet.
  - (2) The height of the exterior side walls may be increased to a maximum of twelve (12) feet, if the accessory building is set back an additional two (2) feet from the side and rear lot lines for each additional one (1) foot in height of the exterior side walls.
  - (3) The roof shall have a pitch no steeper than the pitch of the existing main building.
  - (4) For the purpose of this section, "exterior side wall" shall mean an exterior wall not having a gable end.
- (J) No more than two (2) detached accessory buildings shall be permitted on any lot less than two (2) acres in area. If, however, the main building has an attached garage, then not more than one (1) detached accessory building shall be permitted. The total floor area permitted for all detached accessory buildings on a lot shall not exceed that amount outlined in Section 2.2(K), below.
- (K) The total floor area of all detached accessory buildings shall be limited as follows:
  - (1) On lots less than two (2) acres, the maximum allowable size is eight hundred sixty four (864) square feet
  - (2) Lots of two (2) acres or greater in area, the maximum allowable size is twelve hundred ninety-six (1296) square feet.
  - (3) On any size lot: the maximum floor area for detached accessory buildings shall not exceed twenty-five (25) percent of the rear yard, regardless of the permitted sizes in Section 2.2(K)(1) and Section 2.2(K)(2).
- (L) Any accessory building larger than six hundred twenty-five (625) square feet shall meet the minimum side yard setback, and one-half (1/2) the rear yard setback requirements for a main building in the zoning district in which the lot is located.
- (M) Any accessory building larger than eight hundred sixty-four (864) square feet shall meet the minimum setback requirements for a main building in the zoning district in which the lot is located.

- (N) All accessory buildings located in non-residential zone districts, if located on a lot abutting a residential zone district shall meet the setback requirements applicable to the main building located in such non-residential zone district.

### **SECTION 2.3 FENCES**

- (A) Fences in Residential Districts shall not exceed six (6) feet in height, measured from the surface to the uppermost portion of the fence.
- (B) Fences erected within the front yard in any district shall not exceed three and one-half (3-1/2) feet in height. Fences within the front yard shall be of a type which is not more than fifty (50) percent solid and shall not be located within any clear vision area, per Section 2.27.
- (C) Fences in Residential Districts or enclosing residential uses shall not contain barbed wire or be electrified.
- (D) In Residential Districts, the finished side of the fence shall face the abutting property.
- (E) Fences shall not be erected within any public right-of-way in any district.
- (F) Fences shall not be erected or maintained in any district in such a way as to obstruct the vision of vehicle drivers within the triangular area formed by the intersection of the street right-of-way lines and a line connecting two points located on those intersecting right-of-way lines twenty-five (25) feet from the point of intersection.
- (G) Fences shall not be erected within two (2) feet from a sidewalk, where the sidewalk is within the public right-of-way.

### **SECTION 2.4 REQUIRED ACCESS**

Any lot created shall have frontage upon a public street equal to that required by the zone district in which it is located.

### **SECTION 2.5 STORAGE OF RECREATION EQUIPMENT**

Recreational equipment may be parked outside of an enclosed building on any lot within a Residential District provided that the following requirements are met:

- (A) If located on an interior lot recreational equipment shall not be located within the front yard. If located on a corner lot, recreational equipment shall not be located in the yard of the secondary front lot line facing the street. If located on a through lot, recreational equipment shall not be located in the front yard, or required rear yard.