

**SECTION 1020 – ACCESSORY
BUILDINGS, STRUCTURES AND USES**

SECTION

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1020.01: PURPOSE: The purpose of this Section is to establish provisions regulating the location, type and dimensional standards for accessory buildings, structures and uses.

1020.02: ATTACHED STRUCTURES: An attached structure/building (including garage units) shall be considered an integral part of the principal building and shall comply in all respects with the requirements of this Ordinance applicable to the principal building. Attached accessory structures/buildings shall meet all required principal building setbacks of the applicable zoning district.

1020.03: PERMITTED LOCATIONS: Detached accessory buildings are permitted in side yards and rear yards provided however that they shall not be located closer than six (6) feet to the principal building unless approved by the Building Official following submittal of plans showing a proposed firewall installation or other mitigation measures.

Subd. 1. Detached accessory buildings shall not be permitted in required or actual (in front of the front building line of the principal structure) front yards except on properties having both street and lake frontage, provided the accessory structure meets the required principal structure setback from the right-of-way. Detached accessory structures may be located in actual side or rear yards, provided the minimum setback outlined in this Section is provided from the side and rear property lines.

Subd. 2 Commercial and Industrial Districts. Accessory structures, and uses in combination with principal and conditional uses shall not be located in required or actual (in front of the front building line of the principal structure) front yards without approval of a conditional use permit, or occupy more than thirty (30) percent of the area of any side or rear yard.

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1020.04: PROHIBITED LOCATIONS: Except as may be specifically provided, no accessory use, building, structure or equipment shall be located in any required or actual (in front of the front building line of the principal structure) front yard, within a drainage and utility easement unless approved by the Zoning Administrator and Public Works Department, or below the ordinary high water mark of a public water or wetland.

Subd. 1. No accessory structure shall be located within the setback requirements from the ordinary high water mark of any body of water governed by the Municipal Shoreland Management Act Laws of Minnesota, as amended.

1020.05: DIMENSIONAL LIMITS: Attached and detached accessory buildings are subject to the dimensional limits set forth as follows or as specified under the specific Zoning District (ord. 2003-13, 9/10/03; Ord. 2006-08, 5/10/06; Ord. 2015-04, 03/25/15).

| | A | R1 | R1-E | R-2 | R-3 | R-4 | R-5 |
|---|--|--|--|--|------------------------|---------------------|--|
| Max Size Attached Garage: | Shall not exceed ground coverage of home | | | Shall not exceed ground coverage of home |
| Max Height Attached Garage: | 17' or house height | 17' or house height | 17' or house height | 17' or house height |
| Total # Detached Accessory Buildings per Lot: | 2 | 2 | 2 | 2 | 2 | 1 | 2 |
| Accessory Bld. Total Combined Area: | 1800 sq. ft | 1800 sq. ft. | 1800 sq. ft | 1800 sq. ft. | 10% of Lot Area | 10% of Lot Area | 1800 sq. ft. |
| Max Height Detached Garage / Structure (to peak): | 17' | 17' | 17' | 17' | 17' | 17' | 17' |
| Max Side Wall Height of Detached Acc. Structure: | 10' | 10' | 10' | 10' | 10' | 10' | 10' |
| Side Yard Setback Detached Acc. Structure: | 5' | 5' | 5' | 5' | 10' | 5' | 5' |
| Rear Yard Setback Detached Acc. Structure: | 5' | 5' | 5' | 5' | 10' | 5' | 5' |
| Min. Garage Size Single Family (2 stalls): | 480 sq. ft. | 480 sq. ft. | 480 sq. ft. | 480 sq. ft. | - | - | 480 sq. ft. |
| Min. Garage Size Twin & Townhomes (2 stalls): | - | - | - | 22 x 24' 528 sq. ft. | 22 x 24' 528 sq.ft. | - | 22 x 24' 528 sq. ft. |
| Min. Garage Area Multi-Family Residential: | - | - | - | - | 12 x 24' 240 sq. ft | - | - |

Subd. 1. Within the A, R-1, R-1E, R-2 and R-5 Zoning Districts, the maximum area of all accessory buildings (including attached garages) shall be limited to a combined total area of 1,800 square feet. (Ord. 2003-13, 9/10/03)

Subd. 2. In the R-3 Zoning District, the total square footage of all accessory buildings shall not exceed ten (10) percent of the lot area.

Subd. 3. The total floor area of an attached garage for a single family detached dwelling shall not exceed the ground coverage of the dwelling, except by conditional use permit. Attached garages shall not exceed seventeen (17) feet in height or the height of the principal building, whichever is greater. (Ord. 2003-13, 9/10/03)

Subd. 4. No individual detached garage or structure shall exceed seventeen (17) feet in height. The maximum side wall height of a detached structure shall not exceed ten (10) feet in height. (Ord. 2010-04, 7/28/10).

Subd. 5. Detached accessory buildings shall have not less than a 4:12 roof pitch or more than a 12:12 roof pitch.

Subd. 6. Detached accessory buildings not exceeding two hundred (200) square feet in floor area shall be allowed without issuance of a building permit, but shall comply with all other provisions of this Ordinance. Such buildings must receive an administrative permit before they are constructed or moved onto property. The Zoning Administrator or designee shall review the site plan and construction drawings to determine compliance with this Ordinance and other applicable ordinances, laws, and regulations.

Subd. 7. Detached accessory buildings greater than two hundred (200) square feet in floor area shall require a building permit. The Building Official shall review the site plan and construction drawings to determine compliance with the Building Code and other applicable ordinances, laws, and regulations.

Subd. 8. Limit on Number of Accessory Buildings: Every lot shall be limited to no more than two (2) detached accessory buildings with the exception of the R-4 District where no more than one (1) accessory building is permitted per lot.

Subd. 9. In commercial and industrial districts, accessory buildings and trash enclosures shall be of similar type, quality, and appearance as the principal structure. Accessory buildings and structures, with the exception of canopies, temporary structures, monuments, landscape structures, and other decorative uses, shall not be allowed in the front yard of commercial or industrial properties without approval of a conditional use permit. The size of accessory buildings shall be limited to thirty (30) percent of the area of the required rear or side yard. Said structures shall not exceed seventeen (17) feet in height and shall be setback a minimum of twenty (20) feet from side and rear property lines, except that side and rear yard setback requirements may be reduced to ten (10) feet for accessory structures and uses on lots that do not abut residentially zoned or used property. (Ord. 2004-19, 8/11/04, Ord. 2015-04; 03/25/15).

1020.06: TIME OF CONSTRUCTION: No accessory building shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.

1020.07: BUILDING MATERIALS: All accessory buildings larger than 120 square feet shall be constructed with a design and exterior materials that are compatible with the general character of the principal structure on the lot. Metal corrugated siding or permanent sheet metal shall hereby be prohibited in all zoning districts. Horizontal, steel siding or vertical, standing-seam steel siding (if different from the siding of the principal structure) may be permitted if determined by the Planning Commission to be compatible with the principal structure. (Ord. 2015-09, 07/22/15)

Subd. 1. Garage structures shall be constructed with four (4) walls and a roof. Carports shall not be permitted in any Zoning District. Roof overhangs, at the same roof pitch as the structure from which the extension is built, are allowed to extend a maximum of 5 feet from the nearest side wall and must be covered with the same fascia and soffit materials as the rest of the structure. (Ord. 2015-09, 07/22/15)

1020.08: MAILBOXES: Any person installing or replacing a mailbox and post shall place the mailbox at a vertical height between 45 and 48 inches above the street level to the bottom edge of the mailbox, and at a horizontal length of 36 inches from the curb or edge of the road to the vertical post.

1020.09: SHORELAND DISTRICT DECKS, STAIRWAYS, LIFTS AND LANDINGS: The following provisions apply to all lands located within Shoreland Management Overlay Districts defined in Section 1065 (Shoreland Management District) of this Ordinance.

Subd. 1. Decks. Deck additions may be allowed without a variance to a structure not meeting the required setback from the ordinary high water level if all of the following criteria and standards are met:

1. The structure existed on the date the structure setbacks were established;
2. A thorough evaluation of the property and structure reveals no reasonable location for a deck meeting or exceeding the existing ordinary high water level setback of the structure;
3. The deck encroachment toward the ordinary high water level does not exceed fifteen (15) percent of the existing setback of the structure from the ordinary high water level or does not encroach closer than thirty (30) feet, whichever is more restrictive;
4. The deck is constructed primarily of wood or comparable composite material and is not roofed or screened.

Subd. 2. Stairways, Lifts, and Landings. Stairways and lifts are the preferred alternative to major topographic alterations for achieving access up and down bluffs and steep slopes to shore areas. Stairways and lifts, must meet the following design requirements:

1. Stairways and lifts must not exceed four (4) feet in width on residential lots. Wider stairways may be used for commercial properties, public open space recreational properties, and planned unit developments.
2. Landings for stairways and lifts on residential lots must not exceed thirty-two (32) square feet in area. Landings larger than thirty-two (32) square feet may be used for commercial properties, public open space recreations properties, and planned unit developments.
3. Canopies or roofs shall not be allowed on stairways, lifts, or landings.
4. Stairways, lifts, and landings may be either constructed above the ground on posts or pilings, or placed into the ground, provided they are designed and built in a manner that ensures control of soil erosion.
5. Stairways, lifts, and landings must be located in the most visually inconspicuous portions of lots, as viewed from the surface of the public water, assuming summer leaf-on conditions
6. Facilities such as ramps, lifts, or mobility paths for physically handicapped persons are also allowed for achieving access to shore areas, provided that the dimensional and performance standards of this Section are complied with in addition to the requirements of Minnesota Regulations, Chapter 1340 as amended.