

# ACCESSORY STRUCTURES APPLICATION

CITY OF DERBY

## A PLOT PLAN MUST BE ATTACHED PRIOR TO ACCEPTANCE OF APPLICATION!

(This application is for structures less than 120 square feet and do not require a Building Permit)

DATE: \_\_\_\_\_

FEE:\$ 25.00

ADDRESS OF STRUCTURE: \_\_\_\_\_ ZONING DISTRICT \_\_\_\_\_

NAME OF CURRENT PROPERTY OWNER: \_\_\_\_\_

TYPE OF BUILDING MATERIAL: \_\_\_\_\_ SQ. FOOT OF STRUCTURE \_\_\_\_\_

DESCRIPTION OF PROPOSED ACCESSORY STRUCTURE \_\_\_\_\_

Size of proposed Accessory structure _____	sq. ft.	
House _____	sq. ft.	
Garage _____	sq. ft.	
Deck _____	sq. ft.	% of lot coverage on this property _____%
Pool _____	sq. ft.	(Coverage Limitations Apply)
Other Accessory Structure _____	sq. ft.	
Lot _____	sq. ft.	

I / We understand these provisions and requirements and agree to the following:

1. An accessory building must be at least 10 feet from the principal structure. [600(C)(3)]
2. Accessory structures shall observe the same yard setback that is required for a principal structure and are required to observe a minimum 5-foot rear yard setback, except that garages with entrances facing alleys shall observe a minimum 10 foot setback from the alley [600(C) (1)(2)].
3. In residential districts, accessory structures cannot exceed 20 feet in height. [600(C) (4)]
4. No pre-assembled or prefabricated accessory structure, which is accessory to a residential use and is used exclusively for storage, shall exceed 300 square feet in gross floor area. [600(B) (3)]
5. Accessory structures shall not be placed over a utility easement unless the structure is movable and therefore poses no undue obstruction to the maintenance or construction of utilities. If such accessory structure must be removed because of utility maintenance or construction, the City or utility company is not responsible for damage done to the accessory structure or contents therein. Further the City or a utility company is not responsible for any reconstruction or replacement of an accessory structure placed upon a public easement. [901(A) (3)]
6. Accessory structures on a **permanent** foundation **shall not** be placed within any easements.
7. The owner shall post and continuously maintain in a conspicuous place upon such building or structure the laminated notice provided by the City of Derby.

APPLICANTS NAME/COMPANY \_\_\_\_\_

ADDRESS OF APPLICANT \_\_\_\_\_

SIGNATURE \_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
PHONE NUMBER \_\_\_\_\_

### OFFICIAL USE ONLY:

PERMIT NUMBER: \_\_\_\_\_ REVIEWED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

APPROVED

DENIED

# ARTICLE 6. ACCESSORY USES, TEMPORARY USES AND HOME OCCUPATIONS

## 600 ACCESSORY USES AUTHORIZATION

Accessory uses are permitted in any zoning district in connection with any principal use which is permitted.

**A. Definitions.** An accessory use is a structure or use which:

1. Is subordinate to and serves a principal building or use;
2. Is subordinate in area, extent or purpose to the principal building served; however, this does not preclude recreational areas for basketball, racquetball, swimming, tennis and similar activities;
3. Contributes to the comfort, convenience or necessity of occupants, business or industry in the principal building or use served;
4. Is located on the same zoning lot as the principal building or use served.

**B. Permitted Accessory Uses.** Any structure or use that complies with the terms of Section 6-600(A) may be allowed as an accessory use or structure and may be included, but is not limited to the following list of examples: \*

1. Off-street parking and loading space as regulated by Article 5 of these regulations, including detached garages, which may also contain incidental storage, and carports.
2. Signs, when permitted by Article 7 of these regulations
3. Structures exclusively for storage; provided, no preassembled or prefabricated structure accessory to a residential building shall exceed 300 square feet in gross floor area. For purposes of this article, prefabricated shall not be interpreted to apply to garage kits which provide pre-cut lumber, factory built roof trusses or other construction items packaged for on-site assembly.
4. Parking and storage of motorized or non motorized recreational equipment and vehicles such as but not limited to; boats, campers, camping trailers, boat trailers or recreational vehicles is permitted provided all of the following conditions are met:
  - a. The recreational equipment or vehicle is not used for living purposes, except for temporary guest lodging not to exceed three days in any given two week period.
  - b. When parked or stored on residential zoned property or on property used for residential purposes, the recreational equipment or vehicle shall be the personal property of the occupant or shall be the personal property of the occupant's visiting guest.
  - c. When within a required front yard of a residential district or within a required front yard of property used for residential purposes, the recreational equipment or vehicle is parked on a surface paved with concrete, asphalt, asphaltic concrete, brick or similar paving material and is parked parallel to the dwelling's driveway

and does not obstruct egress from the dwelling as is required by the Uniform Building Code. Graveled parking surfaces existing prior to December 1, 1994, may be used for recreational equipment or vehicle parking.

- d. All recreational equipment and vehicles shall be maintained in operable condition including any required vehicle registrations and tags.
  - e. No recreational equipment or vehicle shall be connected to utilities except when such equipment or vehicle is being serviced or when being used for temporary living purposes as provided for by subsection (a) above.
  - f. The stored or parked recreational equipment or vehicle shall not overhang into any street right-of-way or across any public sidewalk. It is the responsibility of the property owner who wishes to utilize their property for storage or parking of motorized or non motorized recreational equipment and vehicles to ascertain the location of their front property line (street right-of-way line), however, in no case shall the distance between the back of the street curb and the vehicle or equipment be less than 14.5 feet.
5. Storage outside both above or below ground level of petroleum products for fueling vehicles related to the operation of the principal use on commercial and industrial lots only and for sale at automobile and truck service stations.
  6. Detached, rack mounted solar equipment; and satellite dish antennas; provided, that on lots with single-family and duplex dwelling units that the maximum height of the antenna structure shall not exceed 15 feet and is located in the rear of the dwelling unit, but not in a side yard. Such antennas shall not be located on or attached to dwelling units, garages or storage buildings. If a signal cannot be received under these restrictions, application may be made to the Board of Zoning Appeals for a conditional use permit.
  7. Communication structures, antennas and aerials, [See Section 2-202 for definition of height, maximum and Section 600(B)(6) above for satellite dish antennas].
  8. Storm shelters, children's playhouses, statuary, arbors, trellises, barbecue stoves, flagpoles, fences, walls, bathhouses, and swimming pools which are enclosed by security-type fence as approved by the Zoning Administrator regardless of whether the pool is above or below the ground.
  9. Guest houses or rooms for guests in an accessory building; provided that such facilities are used for the occasional housing of guests of the occupants of the principal building and not as rental units for permanent occupancy as housekeeping units.
  10. Restaurants, private clubs, pharmacies, gift shops, beauty parlors, barber shops, and newsstands when located in a permitted hotel or motel.
  11. For employee only child care centers and restaurants when located in a permitted business or industrial building.
  12. Recycling collection centers, large and small. (See Section 202 for definition of recycling center.)
  13. Outdoor storage shall not be permitted as an accessory use, except as specifically permitted in the district regulations. [See Section 202 for definition of outside storage and Section 303(N)(3) for manufactured/mobile homes as storage structures].

\* Zoning permits are required only for accessory structures which are also required to have a building permit, i.e., structures including fences which cost \$300 or more or contain 200 square feet or more on the ground. For other accessory zoning permits, see Section 601 for temporary uses, Section 602 for home occupations, Section 500 for parking spaces and loading areas and Article 7 for signs.

**C. Bulk Regulations.**

1. Accessory structures and uses shall maintain the same side and front yard setback as is required for the principal structure, unless they are permitted obstructions within the provisions of Section 303(F).
2. Accessory structures shall be set back five feet from the rear lot line, except that garages with entrances facing alleys shall be set back at least 10 feet. [See Section 901(A) for zoning permits on easements].
3. No part of any accessory building shall be located closer than 10 feet to any principal structure.
4. Accessory structures and uses shall otherwise comply with the bulk regulations applicable in the district in which they are located, except that in residential districts no accessory building shall be more than one story high nor exceed 20 feet in height.

**D. Use Limitations.** All accessory structures and uses shall comply with the use regulations applicable in the district in which they are located with the following use limitation:

1. No accessory structure shall be constructed and occupied on any zoning lot prior to the time the construction begins on the principal structure to which it is accessory. See Section 6-600(A)(4).
2. No wind energy conversion systems are permitted in any district.

# **NOTICE**

This structure is located within a public utility easement.

Neither the City of Derby nor any utility company with facilities located within this easement is liable for damage to or destruction of this structure as a result of maintenance, repair or replacement activities, or installation of new facilities, within this easement.

Sec. 901.A.3 Derby Zoning Ordinance

\*\*This notice shall be cut down to 5x7, laminated, and placed on the building/ structure.