

EFFECTIVE DATE: 9-1-2020

New Definitions

Barn –

A structure used for agricultural activities on a farm. The term "farm" includes land and principal and accessory buildings used primarily or incidentally for those activities included under the definition of "agriculture". A structure used by the owner or residents with no commercial activities. May be used for the private use by the owner or resident for the storage of animals, feed, hay, equipment, tack and/or agricultural vehicles. A barn is not intended as a venue for parties or events i.e picnics, weddings etc. The maximum height of a barn is 35 ft. The height is measured from the average level of the ground surrounding the building to the highest point of the building(barn).

Plant Nursery - An agricultural use where the primary use is the growing and/or sale of flowers, plants, shrubs or trees.

Building, Accessory: A building **or structure** which is clearly incidental or subordinate to, customarily in connection and located on the same lot with the principal building or use; and the cubic footage and floor area of such accessory building do not exceed 50% of same of the principal building.

Building: Any structure having a roof and intended for the shelter, housing or enclosure of persons, animals, materials, or vehicles.

Building Height: The distance measured from the average level of the ground surrounding the building to the highest point of the building.

Greenhouse-An agricultural structure constructed primarily of glass or other translucent material and used for the production of crops, nursery stock or similar agricultural product.

Structure: Anything constructed or erected, the use of which requires location on the ground or attached to something having location on the ground. **Depending upon its applicability, the use herein of "structure" shall include the term "building". (See also Building)** For floodplain management purposes, a walled and roofed building, including a gas or liquid

ARTICLE 5

ACCESSORY USES IN RESIDENTIAL ZONES

Section 5.1 Purpose

The purpose of the Accessory Use Regulations is to establish the relationship among the principal and accessory uses and the criteria for regulating accessory uses. Accessory uses are uses which are customarily incidental and subordinate to a permitted principal use.

Section 5.2 Accessory Structures In Residential Zones

Subject to the restrictions and limitations specified, the following accessory buildings and uses shall be permitted in RA-1 and RA-2 zones. **Zoning** Permits are required for all uses listed below that are separate from a house and must conform to structure setbacks except as provided in Section 5.2.3.2.(Communication Receiving & Transmitting Antennas & Discs)

The Land Use Inspector reserves **the right to have application reviewed by the** Planning and Zoning Commission for Approval. The Commission may, in its discretion, hold a public hearing thereon. The following documents shall be submitted to the Commission **or its Agent** at its request, with the application.

- a. Plot Plan drawn to reasonable scale (need not be prepared by a registered land surveyor or professional engineer).
- b. Other considerations as the Planning & Zoning Commission may establish.

5.2.1 Private Garages, Attached

- 5.2.1.1** Total Area cannot exceed what is permitted by maximum building and ground coverage for the underlying residential zone.
- 5.2.1.2** May be two stories if second floor is an integral part of principal residence or approved accessory apartment.
- 5.2.1.3** All yard setback requirements shall be the same as the underlying zone.

5.2.2 Private Garages, Detached

- 5.2.2.1** Total area not to exceed 800 sq. ft. or 50% of the living area of the principal residence, whichever is less. A garage area of 480 sq. ft. is permitted regardless of the living area

of the principal residence. **All storage buildings and structures not attached to a dwelling must be located behind the rear range of the house.**

5.2.2.2 Shall not exceed 24 feet maximum height measured from the floor elevation of garage door to the peak of the roof and must meet the main building setback in accordance with the underlying zone requirements.

5.2.2.3 **Detached garages over 800 square feet in area may be permitted by a Special Permit Application approved by the Planning and Zoning Commission in accordance with the requirements set forth in Article 11 Site Plan and Article 12 Special Permit.**

5.2.3 Communication Receiving & Transmitting Antennas & Discs

5.2.3.1 Communication Receiving & Transmitting Antennas & Discs shall have a maximum height of 25'. Height increases above 25 feet may be approved pursuant to Article 12 (Special Zoning Permit).

5.2.3.2 Those towers higher than 25', must be located a distance from the property line at least equal to the tower height.

5.2.4 Private Greenhouses

Total area of private greenhouses shall not exceed 450 sq. ft. Greenhouses may have rigid or flexible exterior materials provided the material is transparent. An opaque covering over the transparent exterior may be used temporarily. The principle use of greenhouses is strictly for the purpose of propagating or starting of plants.

5.2.5 Detached Storage Buildings, Utility Buildings, Workshops, Hobby Shops, Recreation Rooms and Other Similar Purposes.

5.2.5.1 Area for any one structure regulated under this section shall not exceed 450 sq. ft.

5.2.5.2 Limited to one story not to exceed 15 feet maximum height from average ground level to peak of roof.

5.2.5.3 All structures regulated under this section that are 80 sq. ft. or less must not be located less than 15 feet from a property line. Any structure regulated under this section that exceeds 80 sq. ft. and any structure regulated under this section regardless of size that is constructed with a foundation must not be located less than 20 ft. from property line.

5.2.5.4 All storage buildings not attached to a dwelling must be located beyond the rear range line of the house.

5.2.5.5 The exterior of structures regulated under this section must be constructed of rigid materials such as wood, metal or vinyl siding, etc. Canvas structures or structures whose exterior covering is plastic material are expressly prohibited, except when used as temporary structures under Section 4.6 of these regulations.

5.2.5.6 All storage buildings over 200 square feet in area requires Zoning Permits. Storage building 200 square feet in area and smaller may be constructed without a Zoning Permit but must be located behind the rear range of the house and 20 feet from the side and rear yard property lines. No Zoning Permit for a building or structure over 200 square may be issued without health district approval.

5.2.6 Barns and Agricultural Storage Buildings

Barns and Agricultural Storage Buildings are allowed on farms (See definition of Farm), provided that they are used for farming purposes; **(See definition of Barn)**

5.2.7 Roadside Sales of Local Agricultural Products

Operation of a stand, not to exceed 200 sq. ft., for the display and sale, by the occupant of the premises, of agricultural products produced on the premises is allowed pursuant to Article 12 (Special Zoning Permit). Agricultural products produced off-site may also be displayed and sold from said stand. Said stand shall be located a minimum of 30 feet from any side lot line and the existing roadway shoulder.