

LEGISLATIVE DRAFT

HBZSO CHAPTER 203

203.06 Definitions

Structure, Minor Accessory. An accessory structure that does not exceed ~~64~~ 120 square feet in floor area, ~~80 square feet in roof area~~ and a height of six ~~ten~~ feet, including storage sheds, pet shelters, playhouses, pagodas, gazebos, and decorative elements.

LEGISLATIVE DRAFT

HBZSO CHAPTER 230

230.08 Accessory Structures

For purposes of applying these provisions, accessory structures are inclusive of minor accessory structures, except where separate provisions are provided in this section.

A. **Timing.** Accessory structures shall not be established or constructed prior to the start of construction of a principal structure on a site, except that construction trailers may be placed on a site at the time site clearance and grading begins and may remain on the site only for the duration of construction.

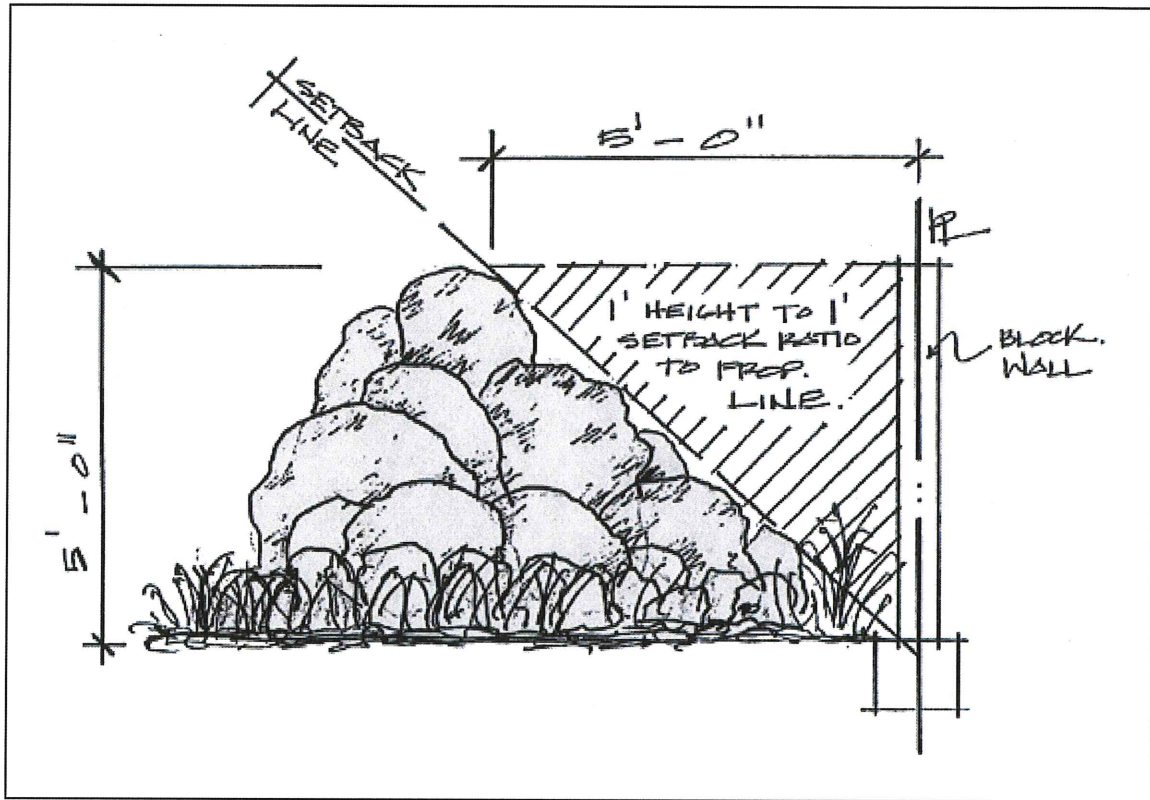
B. **Location.** Except as provided in this section, accessory structures shall not occupy a required front, side or street side yard or court. An accessory structure shall be set back five feet from the rear property line except no setback is required for accessory structures, excluding garages and carports, which abut an alley.

~~Minor accessory structures may be located in required side and rear yard setbacks provided that the structure is located in the rear two-thirds of the lot and a minimum five-foot clearance is maintained between said structure and dwelling if it is located in the required side yard. Minor accessory structures that are decorative such as landscape garden walls, fire pits, freestanding barbecues/fireplaces, sculptures, and fountains may be located anywhere on the property provided:~~

- ~~1. They do not exceed six feet in height or exceed 42 inches in height when located within the front yard setback; and~~
- ~~2. A minimum five-foot clearance is maintained between said structure and the dwelling if it is located in a required side yard; and~~
- ~~3. Rock formations shall be set back one foot from the side and/or rear property lines for each foot of rock formation height, maximum five-foot setback required.~~

Minor accessory structures may be located within the front yard setback provided they do not exceed 42 inches in height. Minor accessory structures may be located in required side and rear yard setbacks provided:

1. The structure is located in the rear two-thirds of the lot;
2. A minimum five-foot clearance is maintained between said structure and the dwelling if it is located in a required side yard;
3. Minor accessory structures over eight feet high shall be screened by a two foot high lattice fence/wall extension above the six foot high fence/wall to protect views from an adjacent property. The screening shall be provided by the property owner installing the minor accessory structure; and
4. Rock formations shall be set back one foot from the side and/or rear property lines for each foot of rock formation height, maximum five-foot setback required.



C. **Maximum Height.** Fifteen feet, except a detached garage for a single-family or multifamily dwelling may exceed the maximum height when it is designed to be architecturally compatible with the main dwelling and does not include habitable floor area.

D. **Maximum Size in RL District.** In an RL District, the total gross floor area of accessory structures, including garages, more than four feet in height that are not attached to a dwelling shall not exceed 600 square feet or 10% of lot area, whichever is more.

E. **Patio Covers.** A patio cover open on at least two sides and complying with all other provisions of this subsection may be attached to a principal structure provided a five-foot clearance to all property lines is maintained.

F. **Decks.** A deck 30 inches or less in height may be located in a required yard.

G. **Separation.** The distance between buildings on the same lot shall not be less than 10 feet.