

CHAPTER 1133
Accessory Structures

- 1133.01** Accessory structures.
- 1133.02** Arbors and trellises.
- 1133.03** Swimming pools, ponds, reflection pools, spas, and hot tubs.

1133.01 ACCESSORY STRUCTURES.

- (a) An accessory structure in any "R" district shall not exceed the height of the principal structure by more than 48", up to a maximum height of twenty (20) feet above grade.
- (b) Decks with a platform height of less than 36" shall have a maximum railing height of 72". Decks with a platform height of 36" or more shall have a maximum railing height of 48"
- (c) Detached accessory structures shall not be located in the front yard except as permitted under **subsection 1133.02**.
- (d) An accessory structure, excluding private swimming pools, shall not occupy more than forty (40) percent of the required rear yard.
- (e) If located within a required rear yard, an accessory structure shall not be located closer to a side or rear lot line or the right of way line of a rear alley, a distance that is less than three (3) feet. If located outside a required rear yard such accessory structure shall conform to setbacks for a primary structure.
- (f) Accessory structures shall be located on the same lot as the main use or structure and may not be placed on a lot without a principal structure.
- (g) Temporary Accessory Industrialized Units. The Zoning Administrator may at their discretion, allow a temporary industrialized unit in a residential district which is essential to the marketing of the residential development for a period of not more than one (1) year.
- (h) During the months of March through October, tents and other canvas (or tarp) covered temporary structures are permitted to exist on a lot of record for a period of time not exceeding five (5) consecutive days in any ninety (90) day period and may not be used for storage of any kind including, but not limited to, vehicles and recreational vehicles. Temporary tent structures under 12' x 12' and used as screened areas for outdoor dining are exempted from this regulation.
- (i) Pre-manufactured accessory structures that contain a metal or plastic supporting structure may not exceed fifty (50) square feet and shall in all cases compliment the principle structure.
- (j) Accessory structures over fifty (50) square feet may not utilize a plastic or metal material for exterior wall coverings, but may use metal roofing material provided it has been manufactured for that purpose and shall in all cases compliment the

principle structure. .

- (k) Accessory structures, including carports, must be constructed of like or complementing materials and design to the primary structure and comply with the requirements of **Section 1136.12 (4)n, Design Standards**. The location, materials and design of accessory structures shall be approved at the discretion of the Zoning Administrator or their designee.
- (l) Enclosed detached accessory structures such as sheds and garages shall be fire-rated with a minimum of ½" drywall on all areas within five (5) feet of a primary structure.
- (m) The setback requirements of this Chapter may be varied (increased or decreased) at the discretion of the Zoning Administrator. The Zoning Administrator shall consider the design, size, and intended use of the proposed accessory structure, surrounding structures, and the impact the variance might have on the surrounding neighborhood.

1133.02 ARBORS AND TRELLISES.

Arbors or trellises may be located in a required yard subject to the following conditions:

- (a) The maximum height shall not exceed ten (10) feet.
- (b) Arbors and Trellises may not be located closer than five (5) feet to any property line.
- (c) All arbors and Trellises must be architecturally compatible with other structures on the same lot and the surrounding neighborhood.
- (d) The Zoning Administrator (or designee) may, at their discretion, allow a trellis to be added to the top of a fence, or any portion thereof, provided all requirements of this section are met and the Zoning Administrator, or their designee, have determined that the fence is capable of supporting the trellis.
- (e) There shall be no more than one arbor or trellis in a front yard, and no more than four on any lot or parcel. When combining the total square footage of each arbor with the total linear feet of each trellis, the maximum total for each lot or parcel shall be 100.
- (f) An arbor or trellises shall not be located so as to adversely affect the vision of drivers from driveways intersecting public streets or within the sight clearance triangle as defined in **Section 1145.06**.
- (g) The maximum length of a Trellis shall be twenty (20) feet. Two or more Trellises built in close proximity to each other may be considered by the Zoning Administrator to be one trellis when determining total length. Trellises in excess of twenty (20) feet shall be approved solely at the discretion of the Zoning Administrator or their designee.

1133.03 SWIMMING POOLS, PONDS, REFLECTION POOLS, SPAS, AND HOT TUBS.

(a) Private Swimming Pools.

- (1) The edge of the water of a private swimming pool shall not be located closer than five (5) feet of the property line of the property on which it is located.
- (2) Private swimming pools with areas in excess of eight hundred (800) square feet shall have a side yard setback of not less than ten (10) percent of the width of such lot, with a maximum setback of fifty (50) feet.
- (3) The water's edge of a private swimming pool which has less than eight hundred (800) square feet of area shall not be closer than ten (10) feet to the main dwelling.

(b) Public Swimming Pools. A public swimming pool and accessory structures thereto, including the areas used by the bathers, shall not be closer than thirty (30) feet to any property line of the property on which located.

(c) Ponds and Reflection Pools.

- (1) Ponds and reflection pools with areas in excess of eight hundred (800) square feet shall have a side yard setback of not less than ten (10) percent of the width of such lot, with a maximum setback of fifty (50) feet, measured to the toe of the slope.
- (2) The water's edge of a pond or reflection pool shall not be closer than fifty (50) feet to any septic system, well or leach field.
- (3) The area surrounding a pond or reflection pool shall be graded not to exceed four (4) feet in height on the front, back or sides so that it will not obstruct the view of the adjacent property owner. Any mounding shall have a ten (10) foot setback, as well as a ten (10) inch swale between the mound and the property line.
- (4) The toe of slope of a pond or reflection pool which has greater than eight hundred (800) feet of area shall not be closer than fifty (50) feet from the main occupiable building or dwelling.
- (5) Conformance with Lucas County Soil and Water Conservation District and United States Soil Conservation Service guidelines regarding side slopes, minimum surface area, depth, and excavated soil piles, where applicable, is required.

(d) All swimming pools, ponds, reflection pools, spas, and hot tubs shall meet all additional requirements of Chapter 1349 and all applicable state and model codes.