

SECTION 5: ACCESSORY USES

A. In Any District

Subject to the restrictions of the Zoning Resolution, a use, equipment or item customarily incidental to an existing permitted use on a lot shall also be permitted when located on the same lot as the existing permitted use. (orig. 6-6-50; am. 5-20-08)

1. The letting of rooms and the providing of table board for not more than 5 persons in any private dwelling. (orig. 6-6-50)
2. Dwellings for farm or ranch employees employed on the premises or for farm or ranch tenants on any farm or ranch. Any other building or structure incidental to the operation of any ordinary farm or ranch, irrespective of size. (orig. 6-6-50; am. 12-26-63)
3. A communal dining room or other services customary to an assisted living facility. (orig. 6-6-50; am. 12-17-02)
4. Buildings housing technical offices, laboratories, medical offices, pharmacies, radiological facilities, medical and surgical suppliers, housing for personnel employed on the premises, and other similar uses may be located on the grounds of any hospital or sanitarium. (orig. 12-26-62)
5. Private satellite dish antennas over 18 inches in diameter in compliance with applicable setbacks and easements and constructed of open wire-mesh and/or painted subdued or earth tone colors compatible with the visual background. (orig. 6-14-88; am. 12-17-02)

B. Agricultural And Residential Districts

1. Swimming pools, play sets over 8 feet in height, tennis courts, gazebos, hot tubs, decks over 12 inches above grade, and other similar outside private recreational facilities shall conform to the setback requirements for a dwelling or accessory building (whichever is less) in the applicable district. Enclosure fences immediately surrounding these facilities shall not exceed 12 feet in height and must meet setback requirements, subject to appropriate permits. (orig. 6-14-88; am. 12-17-02)
2. No more than 1 mini-structure per lot shall be used for storage purposes in residential zones with the exception of the Agricultural-One, Agricultural-Two and Agricultural Thirty-Five Districts. Mini-structures shall meet the minimum separation requirements as specified in the Building Code. Mini-structures which house livestock shall meet all setback requirements. All mini-structures which do not meet side or rear setback requirements shall be screened from neighbors' view by a minimum 5 foot high closed fence or equivalent vegetation. (orig. 6-14-88; am. 12-17-02)
3. Accessory uses in all residential zone districts cannot exceed the square footage of the primary use (residence) to which they are subordinate (excluding barns in the agricultural zone districts). (orig. 12-17-02; am. 5-20-08)
4. Non-commercial type vehicles shall be considered accessory to residential uses. However, such vehicles must be licensed and operable or stored within a structure. (orig. 12-17-02; am. 4-4-06)

C. Commercial And Industrial Districts

In a commercial or industrial district, a use accessory to an authorized use shall be permitted. The parking of vehicles for clients, patients, patrons or customers within a front, side or rear yard of a building within Commercial-One, Commercial-Two, Restricted Commercial-One, Restricted Commercial, Industrial-One, Industrial-Two District, Industrial-Three, or Industrial-Four Zone Districts, with or without charge, and in connection with any use permitted in such, shall be deemed an accessory use. A use

specified as an Industrial-Two Zone District use shall not be permitted as an accessory use in Industrial-One, Industrial-Three, nor Industrial-Four Zone Districts. (orig. 5-6-46; am. 6-6-50; am. 6-2-58; am. 11-15-65; am. 12-17-02)

D. Above Ground Storage of Flammable Liquids And Gases

No above ground storage of flammable liquids or gases in excess of 1,000 gallons shall be permitted in any district other than the Industrial-One District or the Industrial-Two District, unless approved by the Board of Adjustment or approved in conjunction with oil and gas operations as a Special Use or under the provisions of Section 51 of this Zoning Resolution. (orig. 5-6-46; am. 11-14-55; am. 10-17-83; am. 12-17-02)

E. Temporary Construction/Sales Facilities

Upon written request from the property owner or his/her representative, submission of a plot plan and proof of ownership, the Zoning Administrator or his/her appointed designee may permit temporary use of construction/sales facilities, trailers, modular structures and/or accompanying security fences for a period not to exceed 2 years on any one request, providing the developer complies with the following: (orig. 7-12-05)

1. The temporary structure must be located within a recorded Final Plat, Exemption from Plat or Site Development Plan. If the temporary structure is to be moved, a new request must be submitted to the Zoning Administrator or his/her appointed designee, prior to its relocation. (orig. 7-12-05)
2. Temporary security fencing around the construction yard for protection of materials being used during development shall not exceed 6 feet in height and may have an additional 3 strands of barbed wire on top, not to exceed a total height of 8 feet. (orig. 7-12-05)
3. Provisions for water and sanitation must be acceptable to the Department of Health and Environment and written confirmation submitted to the Zoning Administrator or his/her appointed designee prior to any use of the temporary facility. (orig. 7-12-05)
4. The temporary construction/sales facility may not be used as living quarters and may be used only during normal business hours. (orig. 7-12-05)
5. The temporary construction/sales facility and/or accompanying security fence must be removed from the area upon completion of the construction/sales phases of the project or prior to the expiration of the temporary use permit. (orig. 7-12-05)
6. The temporary structure shall be located on the subject property to which it is accessory. If the temporary structure is to be moved, a new request must be submitted to the Zoning Administrator or his/her appointed designee, prior to its relocation. (orig. 7-12-05)