

Sec. 3.4 ACCESSORY BUILDING AND USES.

Accessory buildings and uses shall be subject to the following regulations:

- (A) Accessory buildings and uses shall not be erected in any front or required side yard, unless otherwise provided for in this ordinance.
- (B) Where the accessory building is attached to a main building, it shall be subject to and must conform to, all regulations of this Ordinance applicable to such main buildings.
- (C) No detached accessory building or use shall be located closer than ten (10) feet to any main building (except an accessory use-not accessory building- that is portable and less than 100 square feet in area such as a portable hot tub may be located closer than ten (10) feet to any main building) (revised 6/9/08), nor shall the eave line (which could be a maximum of three (3) feet) of such building be located closer than five (5) feet to any side or rear lot line. All accessory buildings shall meet the same setback requirements from a street right-of-way line as required for the main building, provided that on a double frontage lot, an accessory building may be located within the required rear yard no closer than twenty (20) ft to the road right-of-way line.
- (D) When an accessory building or use is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, said building or use shall not project beyond the front yard setback line required on the lot in the rear of such corner lot.
- (E) Maximum Floor Area.
 - (1) The maximum floor area above grade for an attached accessory building, including garage, shall not exceed sixty (60) percent of the gross floor area of the dwelling to which it is attached, not to exceed a maximum of one thousand five hundred (1,500) sq. ft. No attached accessory building, including garage, shall have a door opening greater than fourteen (14) feet in height. (revised 7/23/07)
 - (2) The maximum floor area of all accessory buildings, excluding attached garages, which are accessory to primary residential uses, shall be six hundred (600) square feet, unless otherwise provided for in this section, in the following districts (revised 1-24-05):
 - a. LDR
 - b. LMR
 - c. MDR
 - d. MHR
 - (3) The maximum floor area of all accessory buildings, excluding attached garages, shall be nine hundred sixty (960) square feet, unless otherwise provided for in this section, in the following zoning districts:
 - a. HDR
 - b. MHP
 - (4) The maximum floor area of all accessory buildings, excluding attached garages, in the RR and AG zoning districts shall be based on the following scale related to parcel or lot size:
 - a. less than two (2) acres: nine hundred sixty (960) square feet;
 - b. two (2) to five (5) acres: one thousand two hundred (1200) square feet; and
 - c. more than five (5) acres: one thousand five hundred (1500) square feet.
 - (5) The above maximum floor area for accessory buildings shall not apply to:
 - a. Buildings accessory to agricultural operations in the AG or RR Districts.
 - b. Multiple-family developments.
 - c. Mobile home parks.
 - d. Uses in non-residential zoning districts.
 - (6) Accessory buildings within any Commercial or Industrial District shall not exceed a total floor area equal to twenty-five (25) percent of the floor area of the main building(s).
 - (7) The maximum floor area of all accessory buildings, excluding attached garages, which are accessory to primary non-residential uses, shall be subject to the following square footage requirements based on parcel sizes within the LDR, LMR, MDR and MHR zoning districts (revised 1-24-05):
 - a. Less than two (2) acres: Six hundred (600) square feet,
 - b. Two (2) to five (5) acres: One thousand two hundred (1200) square feet,
 - c. More than five (5) acres: One thousand five hundred (1500) square feet.
- (F) In Residential Districts, a detached accessory building shall be located in the rear yard or nonrequired side yard of the lot. In the case of row housing or apartment developments, parking garages or covered bays may be exempted from this requirement subject to approval by the Zoning Administrator.
- (G) No detached accessory building in a Residential District (excluding AG and RR and accessory buildings for nonresidential principal uses) shall exceed fourteen (14) feet in mean height, or have a

door opening greater than twelve (12) feet in height. No detached accessory buildings in an (AG) Agriculture or (RR) Rural Residential districts (excluding buildings accessory to an agricultural operations) and no detached accessory building for a nonresidential principal use in a Residential District shall exceed sixteen (16) feet in mean height, or have a door opening greater than fourteen (14) feet in height. (revised July 25, 2011)

- (H) No detached accessory building shall be used in any part for residential purpose.
- (I) No more than one (1) freestanding accessory building may be permitted on any lot or parcel on which is located a single or two family dwelling unless otherwise permitted in this Section (excluding buildings accessory to agricultural operations in the AG and RR districts).
- (J) Any accessory building with an area greater than 200 square feet shall be permanently constructed on a concrete foundation and shall conform to all applicable building and other similar codes for such a structure. The architectural character of all buildings greater than 120 square feet (excluding accessory buildings in the AG or RR districts) shall be compatible with and similar to the principal building with respect to materials, scale, design, and aesthetic quality, as determined by the Zoning Administrator. (revised July 25, 2011)
- (K) One (1) freestanding accessory building of one hundred twenty (120) square feet or less may be permitted in addition to accessory buildings permitted in subsection 3.4(E) and (I), provided there is no attached accessory building on the lot. (revised 6-8-1999)
- (L) No accessory building or use shall be permitted on any lot which does not contain a principal building or use.
- (M) In the case of wireless communication towers, for joint use of a single tower by multiple users, accessory building to house the necessary related equipment for each user/antenna shall be permitted. Each accessory building shall be placed with sufficient space around the structure to allow maintenance of the property and building, permitting safe passage to the tower and other accessory equipment therein. (Revised 10-25-99) (Revised 3-26-2001)
- (N) One (1) freestanding gazebo of one hundred forty four (144) square feet or less may be permitted in addition to accessory buildings permitted in subsection 3.4(E), (I) and (K) and shall meet requirements in Chapter 3 for location on a parcel. (revised 9-26-2005)
- (O) One (1) freestanding exterior wood-fired boiler, stove or furnace of 120 square feet or less may be permitted in accordance with all other regulations for accessory uses, in the **Agriculture and Rural Residential districts only**, subject to the following standards in order to reduce the amount of air pollution generated and the associated adverse health effects:
 - (1) The minimum lot area shall be five acres.
 - (2) No refuse shall be burned.
 - (3) It shall be located a minimum of 100 feet from any property line and a minimum of 300 feet from the nearest residential building which is not on the same property as the outdoor wood-fired boiler.
 - (4) The chimney shall extend at least fifteen feet above mean grade.
 - (5) The use shall meet all other Township ordinances related to burning. In accordance with Township general ordinances, the Fire Chief or designee shall have the right to terminate burning at any time upon the determination that the permitted use of burning is detrimental to the public health, safety or welfare or upon the determination that the burning has created or caused to emanate there from any dust, dirt, smell or foreign substances, or smoke in an amount and of such nature, or both, as to duly disturb, annoy or harm others, thereby destroying their full, quiet, and peaceful occupancy and enjoyment of their homes and premises accessory thereto. Along with a Zoning Compliance Certificate application for such accessory use, the property owner shall submit to the Township a signed affidavit demonstrating that the above requirements have been met and stating that the applicant understands and is aware of the Zoning Ordinance regulations. (revised 5-14-07)
- (P) One (1) freestanding pool accessory building may be permitted in addition to accessory buildings permitted in subsection 3.4(E), (I), (K) and (N) provided that the square footage of the pool accessory building does not exceed 200 square feet in area. The pool accessory building shall meet the requirements in Chapter 3 for location on the parcel and shall only be allowed for swimming pools with at least 500 square feet in area. The pool accessory building shall be removed immediately if the pool is removed. (revised 8/10/09)