

“Building, Accessory” means a detached subordinate building, *larger than 200 square feet, to the main building on a lot, the use of which is customarily incidental to that of the main or principal building. A generic term that may include garages, carports and the following when not referencing a specific structure.*

(1) Accessory Building, Residential ^{67, 88, 198} means a building *designated for other than use as a residence constructed on a lot containing a residential structure.* A Residential Accessory Building shall be constructed of materials complementary in color to the primary building on the lot and buildings on surrounding lots.

(2) Accessory Building Large Lot ¹⁶⁹ means a building with a minimum setback of forty (40) feet from any portion of the primary building on the lot that is at least one-half acre in size and at least twenty (20) feet from any residential building on adjoining lots.

“Carport” means a private, covered area for parking motor vehicles with two or more open sides. A carport with a *distance between support structures less than 20-feet* shall be designated as a single carport. A carport with a *distance between support structures equal to or less than 20-feet* shall be designated as a double carport. ¹⁹²

(1) *Carport Attached: the carport and dwelling having a roof or wall in common and that meets the requirements of § 28-3-25(7).*

(2) *Carport Detached: located adjacent to a dwelling and fronting a common street and that meets the requirements of § 28-3-25(7).*

(3) *Carport Accessory: located behind a dwelling with adequate access for a motor vehicle and that meets the requirements of § 28-3-25(7).*

“Garage, Private” ^{21, 104, 148, 169, 183, 198} means an enclosed space for the storage of one or more motor vehicles. A garage with an exterior width of less than 20 feet shall be designated as a single garage. A garage with an exterior width of 20 feet or greater shall be designated as a double garage. For the purpose of these regulations a private garage will fall into one of three (3) categories:

(1) Garage Attached: the garage and dwelling having a roof or wall in common.

(2) Garage Detached; located adjacent to a dwelling *and fronting a common street and that meets the requirements of § 28-3-25(3).*

(3) Garage Accessory: located behind a dwelling *with adequate access for a motor vehicle and that meets the requirements of § 28-3-25(2).*

“Major Street” means a *Collector, Minor Arterial, or Principal Arterial street as indicated in the Clinton City Transportation Master Plan.*

“Shed” or **“Yard Shed”** ¹⁶⁹ means an enclosed space or covered area outside of an enclosed space less than 200 square feet, not including eaves, *with a door width of six (6) feet or less* for the storage of yard tools and supplies, motorized yard equipment, household items, etc. but not for storing motor vehicles intended for personnel transport. Includes greenhouses, play houses, forts, and other play structures. Does not include landscape features such as pergolas, arbors, or other skeleton type structures.

(1) *Garage and Carport* General Requirements: These requirements apply to garages *and* Carports.

(a) Structures shall meet the minimum set back requirements established in this ordinance for the zone.

(b) Eaves shall not extend into any setback requirements established in this ordinance for the zone by more than twelve (12) inches.

(c) All run-off from the roof, drive or any hard surface associated with the structure shall be designed to drain onto the building lot where the structures is-located.

(d) *Adherence to the maximum* impervious surface ratio.

(e) Structures built within five (5) feet of a property line shall not have openings, (windows, doors, etc.), in the wall that is within the five (5) feet.

(f) Structures built within five (5) feet of a property line shall have the wall constructed to meet the requirements of the International Residential Code.

(g) *A curb cut shall be established with appropriate apron to meet the requirements of the city standards and § 28-4 of this ordinance.*

(h) *Construction shall meet the requirements of the International Residential Code.*

(2) Garage Accessory

(a) A Garage Accessory, as defined in this ordinance, may *serve to* satisfy the parking requirements of Chapter 4 of this ordinance providing that the structure meets the following requirements.

(i) The structure meets the minimum parking requirements, established for a residence in Chapter 4, not including any portion of the structure that is designed for the intended use of storing oversized vehicles, recreation vehicles, boats, off-road vehicles, etc.,

(ii) There is a hard surface drive from the street to the Accessory Garage.

(b) The minimum distance from any wall surface, attached deck, awning, or other extension of the dwelling to any wall surface or extension on the *Garage structure, shall not be less than ten (10) feet.* The eaves of either structure shall not extend more than twelve (12) inches into the required ten (10) foot separation.

(d) Structure shall be designed with the intended use of storing vehicles *designed for* transportation or recreation.

(e) Garage Accessory shall compliment the color scheme of the existing dwelling. Significance of colors shall be determined by the planning staff at the time of plans review.¹⁹⁸

(f) *If the structure is not intended to meet the requirements of Chapter 4 for a residence as stated in (2)(a)(ii) † it shall have a hard surface drive from the street to the garage unless the structure is behind a 6-foot solid fence with gates then the hard surface shall extend from the street to behind the fence gates.*¹⁹⁸

(3) Garage Detached

(a) A Garage Detached, as defined in this ordinance, may satisfy the parking requirements of Chapter 4 of this ordinance providing that the structure meets the following requirements.

(i) The structure meets the minimum parking requirements established for a residence in Chapter 4 not including any portion of the structure that is designed for the intended use of storing oversized vehicles, recreation vehicles, boats, off-road vehicles, etc.,.

(ii) *There is a hard surface drive from the street to the Accessory Garage.*

(b) The minimum distance from any wall surface, attached deck, awning, or other extension of the dwelling to any *property line shall meet the requirements established in this ordinance for the applicable zone. The minimum distance from a wall surface or any extension on the structure to the wall surface or extension on the residence shall be ten (10) feet.*

(c) It shall have a hard surface drive from the street to the structure.

(d) Structure shall be designed with the intended use of storing vehicles *designed* for transportation or recreation.

(e) Garages Detached shall have the same architectural features; utilize the same building materials and same pattern as the existing dwelling. Street view of the structure shall be similar in the use of materials, brick, rock, etc., as the residence on the lot. Sides and rear of the structure may utilize less primary materials, siding, stucco, etc., found on the residence. Equality of materials and features shall be determined by the planning staff at the time of plans review. Allowances may be made when considering the availability of materials due to the age of the original structure.

(4) Accessory Buildings and Sheds General Requirements: These requirements apply to Accessory Buildings and Sheds.

(a) Structures shall meet the minimum set back requirements established in this ordinance for the zone.

(b) The structure shall be located in the rear yard setback as defined in this ordinance with a minimum distance from any wall surface, attached deck, awning, or other extension of the dwelling to any wall surface or extension on the structure, shall not be less than ten (10) feet.

(c) Eaves shall not extend into any setback or separation requirements established in this ordinance for the zone by more than twelve (12) inches.

(d) All run-off from the roof, drive or any hard surface associated with the structure shall be designed to drain onto the building lot where the structure is located.

(e) Adherence to the maximum impervious surface ratio.

(f) A curb cut shall NOT be established to provide access to the structure.

(g) Construction shall meet the requirements of the International Residential Code.

(h) Structure shall not be designed with the ability to store vehicles intended for transportation or recreation, access into the structure shall be less than six (6) ~~eight (8)~~ feet wide.

(i) Accessory Buildings or Sheds, as defined in this ordinance, do not meet the parking requirements of Chapter 4 of this ordinance.

(j) Accessory Buildings shall compliment the color scheme of the existing dwelling. Significance of colors shall be determined by the planning staff at the time of plans review.

(5) Nonconforming Structures

(a) Any Garage Accessory, Garage Detached, Accessory Building, or Accessory Building Large Lot that does not conform to the requirements of this ordinance, that has been declared a nuisance or unsafe for occupancy by authority of the City Code, health code, or building codes, shall not be repaired unless it is brought into significant compliance with the requirements of this code. Any Garage Accessory that is demolished shall not be reconstructed unless it complies with the requirements of this ordinance.

(b) Any Shed that does not conform to the requirements of this ordinance, that has been declared a nuisance or unsafe by authority of the City Code, health code, or building codes, shall not be repaired or reconstructed unless it is brought into significant compliance with the requirements of this code.

(6) Carport *General Requirements*¹⁹²

(a) Carports associated with structures other than single family dwellings shall be evaluated and approved as part of the site plan approval process.

(b) Eaves shall be measured from the exterior wall where one exists and from the exterior of support posts where no wall exists.

(c) Carports shall have a hard surface, concrete or asphalt, under the roof area.

(d) Any Carport shall have a wall when located closer than 10-feet to an adjacent property line if no privacy fence is present between the carport and adjacent property.

(d) Carport Attached

(i) Attached carports intended to satisfy requirements of Chapter 4 shall have an enclosed storage area at least 150 square feet in size, minimum 8-foot interior height, at grade level.

(e) Carport Accessory

(i) A Carport Accessory does not satisfy the parking requirements of Chapter 4 of this ordinance for a single family dwelling.

(iii) The structure shall be located in the rear yard setback as defined in this ordinance with a minimum distance from any wall surface, attached deck, awning, or other extension of the dwelling to any wall surface or extension on the structure, shall not be less than ten (10) feet.

(iv) Structure shall be designed with the intended use of storing vehicles *designed* for transportation or recreation.

(v) It shall have a hard surface drive from the street to the carport unless the structure is behind a 6-foot solid fence with gates then the hard surface shall extend from the street to behind the fence gates.¹⁹⁸

(f) Carport Detached

(i) A Carport Detached does not satisfy the parking requirements of Chapter 4 of this ordinance for a single family dwelling.

(iii) The minimum distance from any wall surface, attached deck, awning, or other extension of the dwelling to any wall surface or extension on the structure, on the lot, shall meet the minimum set back requirements established in this ordinance for the zone.

(iv) It shall have a hard surface drive from the street to the structure.

(v) Structure shall be designed with the intended use of storing vehicles *designed* for transportation or recreation.

(vi) Carport Detached shall have similar architectural features and utilize similar colors and materials as on the dwelling on the lot. In this case similar is intended to be complementary to the design of the dwelling.

28-12-2(12) *Garages, Accessory Buildings, Sheds, and Carports, as defined in this Title, incidental to any permitted use.*

28-12-3(11) *Garages, Accessory Buildings, Sheds, and Carports, as defined in this Title, approved during site plan review and incidental to an approved conditional use.*

Front	Major Street	35 feet
	Other Street	30 feet
	<i>Garage Detached</i>	<i>Same as Dwelling</i>
Side, interior	Dwelling	10 feet
	Non-Residential Building	20 feet
	Accessory Garage	3 feet
	Detached Garage	10 feet
	Accessory Building	3 feet
	Accessory Building Large Lot	3 feet
	Shed	3 feet
Side, facing street	Major Street	35 feet
	Other Street	30 feet
	Accessory Garage	30 feet ^b
	Detached Garage	<i>Same as Dwelling</i>
	Accessory Building	30 feet ^b
	Accessory Building Large Lot	30 feet ^b
	Shed	30 feet ^c
Rear	Main Building	30 feet
	Accessory Garage	3 feet ^a
	Detached Garage	<i>Same as Dwelling</i>
	Accessory Building	3 feet ^a
	Accessory Building Large Lot	3 feet ^a
	Shed	3 feet ^a

^a Except 10 feet where building rears on the side yard of adjacent corner lots

^b These buildings shall not gain access from arterial or sub arterial streets.

^c Three feet if behind a solid fence.

Accessory Garage	Behind On Lot	10 feet
	<i>On Adjacent Lot</i>	20 feet
Detached Garage	Side	10 feet
Accessory Building	Behind	10 feet

Accessory Building Large Lot	On Lot	40 feet
	On Adjacent Lot	20 feet
Shed	On Lot	10 feet behind
	On Adjacent Lot	18 feet

28-12-4(7) Garages, accessory buildings, sheds, and carports and distances from the property lines when associated with a use that is not a dwelling will be evaluated during a site plan review as established in § 28-3-10. Distances outlined above, for a dwelling, will be used as a guide and where the use being evaluated is adjacent to a lot with an existing dwelling the distances outlined above will be followed. Consideration for reducing distances during site plan review will be based upon mitigation proposed to reduce impact upon adjacent properties.

28-13-2(7) Garages, Accessory Buildings, Sheds, and Carports, as defined in this Title, incidental to any permitted use.

28-13-3(7) Garages, Accessory Buildings, Sheds, and Carports, as defined in this Title, approved during site plan review and incidental to an approved conditional use.

Front	Major Street	35 feet
	Other Street	30 feet
	<i>Garage Detached</i>	<i>Same as Dwelling</i>
Side, interior	Dwelling	10 feet
	Non-Residential Building	20 feet
	Accessory Garage	3 feet
	Detached Garage	10 feet
	Accessory Building	3 feet
	Accessory Building Large Lot	3 feet
	Shed	3 feet
Side, facing street	Major Street	35 feet
	Other Street	30 feet
	Accessory Garage	30 feet ^b
	Detached Garage	<i>Same as Dwelling</i>
	Accessory Building	30 feet ^b
	Accessory Building Large Lot	30 feet ^b
	Shed	30 feet ^c
Rear	Main Building	30 feet
	Accessory Garage	3 feet ^a
	Detached Garage	<i>Same as Dwelling</i>
	Accessory Building	3 feet ^a
	Accessory Building Large Lot	3 feet ^a
	Shed	3 feet ^a

^a Except 10 feet where building rears on the side yard of adjacent corner lots

^b These buildings shall not gain access from arterial or sub arterial streets.

^c Three feet if behind a solid fence.

Accessory Garage	Behind On Lot	10 feet
	On Adjacent Lot	20 feet

Detached Garage	Side	10 feet 6 feet
Accessory Building	Behind	10 feet
Accessory Building Large Lot	On Lot	40 feet
	On Adjacent Lot	20 feet
Shed	On Lot	10 feet behind
	On Adjacent Lot	18 feet

28-13-4(7) Garages, accessory buildings, sheds, and carports and distances from the property lines when associated with a use that is not a dwelling will be evaluated during a site plan review as established in § 28-3-10. Distances outlined above, for a dwelling, will be used as a guide and where the use being evaluated is adjacent to a lot with an existing dwelling the distances outlined above will be followed. Consideration for reducing distances during site plan review will be based upon mitigation proposed to reduce impact upon adjacent properties.

TABLE 14.2 ^{118, 198}		RESIDENTIAL ZONES					
USES		R-1-6	R-1-8	R-1-8a ²⁵	R-1-9 ^{21, 24}	R-1-10	R-1-15 ⁵²
P = Permitted C = Conditional N = Not Permitted A = Accessory ¹³⁴							
4.	Garages, accessory buildings, sheds, and carports and uses customarily incidental to any permitted use. ¹⁶⁹	P	P	P	P	P	P
25.	Garages, accessory buildings, sheds, and carports uses customarily incidental to any conditional use. ¹⁶⁹	C	C	C	C	C	C

TABLE 14.3 ^{118, 183}		RESIDENTIAL ZONES					
SITE DEVELOPMENT STANDARDS		R-1-6	R-1-8	R-1-8a ²⁵	R-1-9 ^{21, 24}	R-1-10	R-1-15 ⁵²
3.	Minimum Yard Setbacks						
	1. Front						
	Main Street	35	35	35	35	35	35
	Other Street	20	30	25	30	30	30
2.	Side ¹⁶⁹						
	Interior Lot	8/10 ^b	8/10 ^b	5/8 ^b	8/10 ^b	10/10 ^c	10/10 ^c
	Facing Main Street	35	35	35	35	35	35
	Facing Other Street	20	20	20	20	20	20
	Detached Garages	8/10	8/10	5/8	8/10	10	10
	Side Yard Interior ^d	8/10	8/10	5/8	8/10	10	10
	Accessory Building Side Yard facing a Street	20	20	20	20	20	20
3.	Shed	3	3	3	3	3	3
	Rear ¹⁶⁹						
	Main Building and Detached Garages	25	25	25	25	30	30
	Main Building Main Street and	35	35	35	35	35	35

TABLE 14.3 ^{118, 183}		RESIDENTIAL ZONES					
SITE DEVELOPMENT STANDARDS		R-1-6	R-1-8	R-1-8a ²⁵	R-1-9 ^{21, 24}	R-1-10	R-1-15 ⁵²
	Detached Garages						
	<i>Accessory Buildings and Sheds</i>	3	3	3	3	3	3
	<i>Accessory Building</i> Side Yard facing a Street	20	20	20	20	20	20
	<i>Shed</i>	3	3	3	3	3	3
4.	Building Height						
1.	Main Building						
	Minimum Stories	1	1	1	1	1	1
	Maximum Stories	2½	2½	2½	2½	2½	2½
	Maximum Height (feet)	35	35	35	35	35	35
2.	Other Structures ¹⁶⁹						
All	Maximum Stories	1	1	1	1	1	1
Accessory Building	Minimum Height (feet)	12	12	12	12	12	12
	Maximum Height (feet) ^f	25	25	25	25	25	25
Accessory Building Large Lot	Minimum Height (feet)	12	12	12	12	12	12
	Maximum Height (feet) ^f	30	30	30	30	35	35
Shed	Minimum Height (feet)	6	6	6	6	6	6
	Maximum Height (feet) ^f	16	16	16	16	16	16
7.	<i>Garages, accessory buildings, sheds, and carports and distances from the property lines when associated with a use that is not a dwelling will be evaluated during a site plan review as established in § 28-3-10. Distances outlined above, for a dwelling, will be used as a guide and where the use being evaluated is adjacent to a lot with an existing dwelling the distances outlined above will be followed. Consideration for reducing distances during site plan review will be based upon mitigation proposed to reduce impact upon adjacent properties.</i>						

^a Corner lots not to be included in averaging.

^b Reserved

^c Reserved

^d Reserved

^e Reserved

^f Reserved

^g The accessory building size is limited by the overall impervious surface ratio of the rear yard.

^h *The impervious surface ratio is calculated based upon the impervious surface within any required side or rear minimum setback.*

ⁱ Applies to subdivisions approved after March 30, 2005. For subdivisions approved prior to March 30, 2005, the Single Dwelling Unit Footprint is 950 square feet and minimum living space is 950 feet for all "R" zones.¹²⁶

28-15-2(5) *Garages, Accessory Buildings, Sheds, and Carports, as defined in this Title, incidental to any permitted use.*

28-15-3(3) *Garages, Accessory Buildings, Sheds, and Carports, as defined in this Title, approved during site plan review and incidental to an approved conditional use.*

Table 15.4		NUMBER OF DWELLINGS						
MINIMUMS		1	2	3	4	5	6	
Lot Area Square Feet		6,000	7,500	10,750	14,500	16,500	21,500	
Lot Width		60	75	85	85	90	100	
Yard Set-Backs ^a	Front ^b	20	30	30	30	30	30	
	Side, (interior)	Dwelling	10	20	20	20	20	20
		Other Main Building	10	20	20	20	20	20
	Side, (exterior)	Major Streets	30 feet					
		Other Streets	20 feet					
	Rear ^c		25 feet					
Building Height ¹⁶⁹	Minimum	1 story						
	Maximum	2 ½ story or 35 feet						
	Accessory Building	Minimum 12 feet, Maximum 20 feet, Maximum 1 story						
	Shed	Minimum 6 feet, Maximum 12 feet, Maximum 1 story						
Building Size ¹⁶⁹	Dwelling	850 square feet minimum except townhouses and other similar attached 2-story units may have a ground floor minimum of 550 square feet						
	Accessory Building	600 square feet maximum per unit.						
	Shed	200 square feet maximum individual structure per unit.						

^a Accessory Building: 6 feet except 3 feet if located at least 10' behind the main building and 12 feet from dwellings on adjacent lots.

^b Exception: Front setback from any major street shall be a minimum of 35 feet

^c Accessory Building: 3 feet except 6 feet where accessory building rears on the side yard of an adjacent corner lot or when on a corner lot and rears on the side yard of an adjacent interior lot.

TABLE 19.4 ^{61, 123} PERFORMANCE ZONE USES		DESIGN REVIEW	PERMITTED/ CONDITIONAL	GENERAL USE CATEGORY (SEC. 15)	
1.000	RESIDENTIAL				
1.100	Single-Family Residences (see section 19.29)				
1.150	Immediate Family Dwelling Unit (see section 19.29)				
1.200	Two-Family Residences (see section 19.29)				
1.400	Miscellaneous, rooms for rent situations				
	1.410	Bed and Breakfast	DR	P	Commercial
	1.420	Tourist homes and other temporary residences renting by the day or week	DR	P	Commercial
	1.430	Hotels, motels, and similar business or institutions providing overnight accommodations	DR	P	Commercial

TABLE 19.4 ^{61, 123} PERFORMANCE ZONE USES		DESIGN REVIEW	PERMITTED/ CONDITIONAL	GENERAL USE CATEGORY (SEC. 15)
1.500	Temporary on site storage containers for emergency construction or repair of residences, with the following stipulations a. Must be placed on a hard surface b. Can only be present for 3 months out of a 12 month period		P	Footnote ^a
1.600	Home Business ¹⁷⁹		P	
1.700	Garage and Yard Sales ¹⁷⁹		P	
1.800	<i>Accessory Building</i>			
	1.410 <i>Accessory Building</i>		P	
	1.420 <i>Accessory Building Large Lot</i>		N	
	1.430 <i>Shed</i>		P	
23.000	<i>Garages, accessory buildings, sheds, and carports when associated with a use that is not a residential will be evaluated during a site plan review as established in § 28-3-10.</i>			

Table 19.29.2 Development Standards				Conventional Subdivision	Performance Subdivision	
1.	Minimum Lot Frontage	Interior Width		65	None	
		Corner Width		65	None	
2.	Minimum Yard Setbacks (feet)	1.	Front	Main street	35	35
				Other street	20	20
		2.	Side	Interior lot	8/10	20
				Facing major street	35	35
				Facing other street	20	20
			Accessory Building	8/10 ^b	8 ^b	
3.	Rear	Main building	25	25		
		Accessory Building	3 ^c	3 ^c		
3.	Building Height	Minimum stories		1	1	
		Maximum stories		2.5	3	
		Maximum feet		35 ^d	35 ^d	
4.	Building First Floor Area (sq. ft.)	Dwelling unit minimum		850	800	
		Accessory building maximum (total area)		850	None	
5.	Impervious Surface Ratio			25%	25%	

^a Applies to building rather than individual units

^b EXCEPTION: ≥ 10' from the rear of main building and ≥ 18' from dwelling on adjacent lot: 3' from

building wall 1' from nearest point of building.

^c EXCEPTION: Corner lots, rears on side yard of adjacent lot; Interior lots, rears on side yard of adjacent corner lot, 25'

^d Accessory Building: 6' minimum, 1 story max, \leq to main building on lot