

Staff Report

VAR18-00001 Blackhawk Lane Setback

Variance Request



**City Of Sedona Community
Development Department**

102 Roadrunner Drive Sedona, AZ 86336
(928) 282-1154 • www.sedonaaz.gov/cd

Public Hearing Date: November 8, 2018

Hearing Body: Hearing Officer (Board of Adjustment)

Action Requested: Discussion/possible action regarding a request for approval of a Variance to subsection 608.04.E.4 (RS-10b Rear Yard) of the City of Sedona Land Development Code, to allow for the construction of a single family residence to be attached to an existing garage, pursuant to Subsection 404, Variances and Appeals of the City of Sedona Land Development Code.

Location: 75 Blackhawk Lane, Sedona, AZ

Assessor's Parcel Number: 401-26-002C

Property Owner: Ronald Mullis

Site Size: ± 0.34 acres

Current Zoning: RS-10b (Single-Family Residential)

Current Land Use: Single-Family Residential

	<u>Area zoning</u>	<u>Area land uses</u>
North, East, South, West:	RS-10b	Single-Family Residential

Report Prepared By: Matt Kessler, Associate Planner

Attachments:

1. Application Documents
2. Vicinity Map
3. Land Development Code, Applicable Sections
4. Photographs

Staff Report

VAR18-00001 Blackhawk Lane Setback Variance Request



City Of Sedona Community Development Department

102 Roadrunner Drive Sedona, AZ 86336
(928) 282-1154 • www.sedonaaz.gov/cd

PROJECT SUMMARY

The applicant is requesting approval of a variance to allow an existing garage to encroach with the rear yard setback. The proposed connection of the existing garage to a new single family residence on the site results in the existing garage no longer complying with rear setback for an attached garage.

BACKGROUND

The property was initially developed with a manufactured home prior to the City's incorporation in 1988; it is unknown when the original residence was constructed. A permit to construct a detached garage on the property was issued in October 2001. As a detached structure less than 15 feet in height, the garage was permitted to be encroach with the rear setback and was constructed with a 12.5 foot rear setback, as allowed for under LDC 902.02.B. A residential demolition permit was issued in June 2018 to remove the manufactured home and accessory carport. The demolition permit did not include the garage, which was preserved.

The existing garage has the following characteristics:

- Approximately 820 square feet in size.
- Approximately 14 feet in height.
- The rear portion of the garage encroaches approximately 7.5 feet into the rear setback area (12.5 feet from the rear property line as defined by the LDC).
 - The Land Development Code allows detached accessory structures which do not exceed 15 feet in height to project to within 5 feet of the rear property line (LDC 902.02.B.2). As constructed, the existing garage is compliant with property setback requirements.
 - On irregular-shaped lots, the rear lot line is a line parallel to the front line, not having a length of not less than 10 feet (Definition "Lot line, rear"). As an irregular-shaped lot, the subject property may apply this definition for the purposes of defining the rear lot line (See Figure 1).

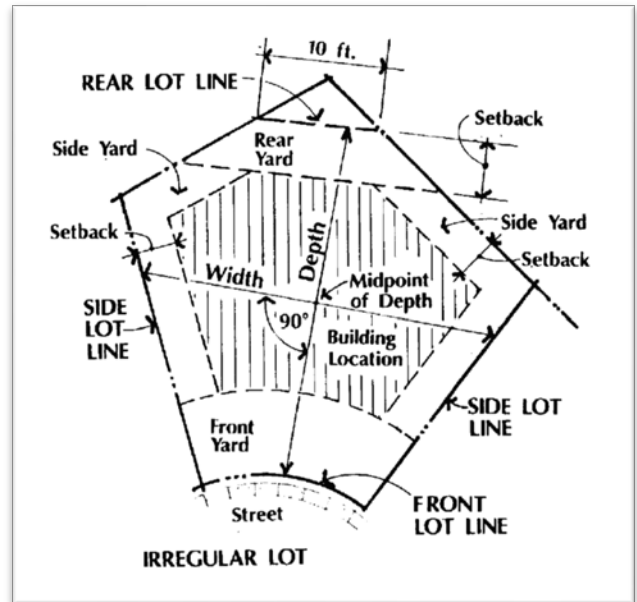


Figure 1: Figure from Land Development Code depicting how the rear lot line shall be measured on irregular lots for setback purposes.

In June 2018, the applicant applied for a permit to construct a new single family residence on the lot. The proposed residence has the following characteristics:

- Two (2) stories and approximately 22 feet tall
- Approximately 1928 square feet (gross floor area) in size
- Connection to the existing garage

Connecting the home to the existing detached garage would make the garage an attached accessory structure and the building and attached garage would be required to meet the rear setback (20 feet) for this property. A correction letter was issued for the permit application, notifying the applicant that the proposed residence could not be approved due to the location of the garage and the proposal to attach the house to the garage. In order to comply with setback and building separation requirements, the garage must remain a detached accessory structure and the proposed residence is required to be located ten (10) feet away from the garage, in addition to meeting all other setback requirements and development standards. Citing limited buildable area on the site and the building separation requirement, the property owner has requested a reduction to the rear yard setback in order to attach the proposed residence.

SITE CHARACTERISTICS (EXISTING)

- The property site consists of one parcel of approximately 0.34 acres (14,977 sq. ft.).
- The property is zoned RS-10b (Single-Family Residential)
 - Required minimum lot size: 10,000 sq. ft. (0.23 acres)
 - Minimum lot width and depth: 80 feet.
 - The existing lot is approximately 138 feet wide and 290 feet deep.
 - Required front setback: 20 feet.
 - Required rear setback: 20 feet.
 - As this property is considered an irregular lot, the rear lot line is measured as a 10 foot wide line, as detailed in the above Background section.
 - Required side setbacks: 10 feet

PROXIMITY CHARACTERISTICS

- The property is located off of Brewer Road on the west side of Blackhawk Lane.
- There are 29 residential lots located or accessed off Blackhawk Lane. Based on the City's GIS data, 25 of the 29 lots are developed.
- None of the properties along Blackhawk Lane are within a subdivision.
- Due to the age of the homes developed on Blackhawk Lane, built prior to the City's incorporation, many have legal nonconforming status.

The figures on the following pages depict the location of the existing garage, the location of the proposed residence, the requested setback reduction, and the context of this lot within the neighborhood.

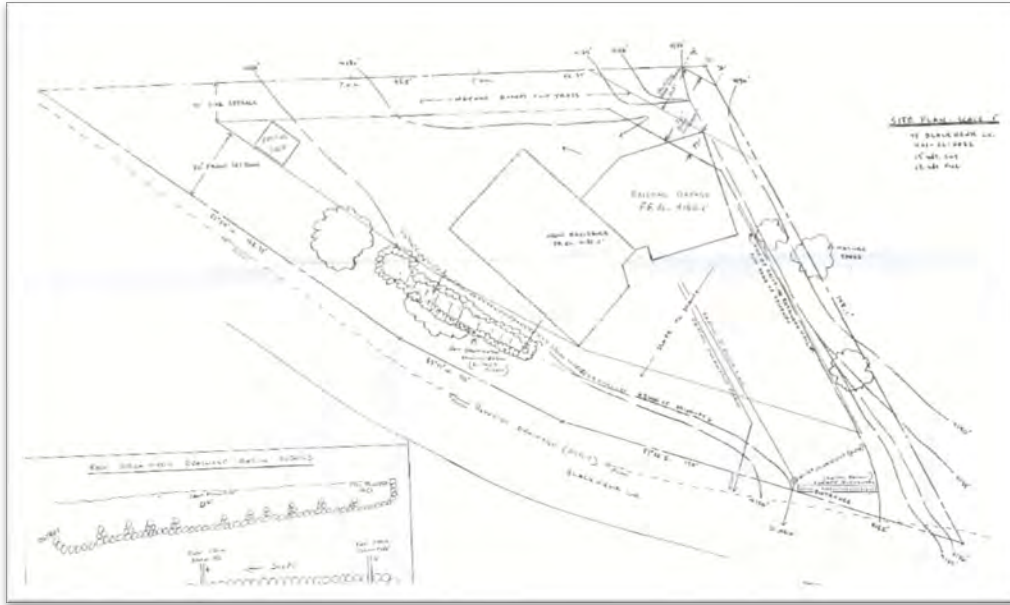


Figure 2: Site plan provided by applicant depicting property setbacks and location of proposed residence

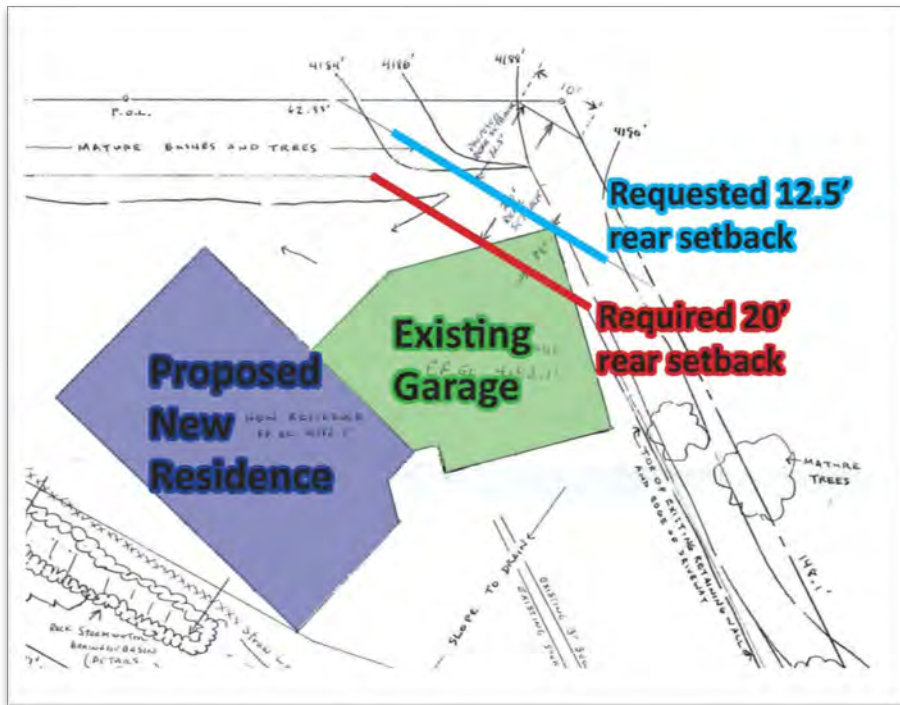


Figure 3: Enlarged site plan showing existing garage, proposed residence, and required and requested setbacks



Figure 4: Aerial view of surrounding neighborhood, demonstrating proximity of neighbors and lot sizes



Figure 5: Contour map of property, showing grade difference between street and surrounding properties.

ANALYSIS

Applicant's Letter

The applicant's letter states that when constructed in 2001/2002, the detached garage met the setback requirements for the property while maintaining the required building separation from the manufactured home. A demolition permit was applied for to remove the manufactured home from the property and replace it with a new, two-story single family home. As the garage encroaches into the rear yard area 7.5 feet, a reduction of the rear yard setback from 20 feet to 12.5 feet would be required in order to attach the new residence to it.

Additionally, the applicant's letter states that compliance with the building separation requirement would result in a practical difficulty or unnecessary physical hardship. The triangular lot has a 14 foot slope down to Blackhawk Lane and contains mature vegetation around the perimeter of the property. The flat portion of the lot is thus limited and not easily expanded due to this topography.

Staff Comment

The current property owner was the applicant of the garage permit in 2001, and has since applied for a demolition permit earlier this year to remove the manufactured home from the property. While of these changes to the property were enacted by the applicant, Mr. Mullis has demonstrated good faith in seeking compliance with LDC regulations by applying for the necessary permits. As part of the demolition permit process, new construction is not reviewed or approved. Therefore the property owner was not made aware of the issues surrounding the attachment of the future residence.

In order to comply with both district setback regulations and building separation requirements for this property, the residence would need to be located 10 feet away from the garage, 20 feet from the front property line, and 10 feet from the side property lines. The steep terrain between Blackhawk Lane and the flat portion of the lot, along with the required 20 foot front setback, makes moving the proposed residence further away from the existing garage a practical difficulty. In addition, due to the triangular shape of the lot, the front lot line for this property is approximately 278 feet in length, which is significantly longer than a typical lot in the RS-10b zoning district. This means that approximately 4,520 square feet, or 30.2% of the 14,977 square foot lot, is taken up by front yard area, again, significantly more than a typical lot in the RS-10b zoning district. Therefore, while the lot meets all minimum size requirements, the shape and configuration of the lot results in the required front setback having a much greater impact on this lot than other lots of the same zoning classification.



Figure 6: View of the property from Blackhawk Lane looking northwest, showing the grade difference and mature vegetation.



Figure 7: View of the property from Blackhawk Lane looking south, showing the grade difference and mature vegetation.

The steep topography continues around the perimeter of the site within the side yard areas. Any reductions to these setback areas, rather than approval of this variance request, would require significant grading work and vegetation removal to be considered. The substantial grade difference and dense vegetation between this property and the surrounding properties and street provide screening that help obscure the garage and building pad from view. In the rear yard area where the encroachment area exists, the garage is only a couple feet above grade due to this steep terrain. Rather than the bulk and mass of a 15 foot tall structure visible from the rear property line, only the rooftop and small portion of the garage's upper wall is visible above grade.

Due to the angle of the garage and rear setback line, a triangular portion of the structure currently encroaches into the setback area. This area is approximately 52.5 square feet, or only 5.9% of the 884 square foot garage. This small percentage further demonstrates the minimal impact that the approval of a setback reduction for this portion of the garage would have on surrounding property owners.



Figure 8: View of the garage from the rear property line, highlighting the



Figure 9: View of the garage from the west, showing the grade difference at the rear property line.

FINDINGS

Section 404, Variance and Appeals, of Article 4 (Review Procedures) of the LDC establishes specific findings that must be made in order for a variance request to be approved. These required findings are listed below and are followed by the applicant's case for approval of the variance and staff's response.

Required Findings (LDC 404.06)

- A. *That due to special circumstances applicable to the subject property, including its size, shape, topography, location, or surroundings, the strict application of this code will deprive the property of privileges enjoyed by other properties of the same classification in the same zoning district.*

Applicant Response: "The .33 acre, roughly triangular lot slopes down approximately 14 feet down to a private road and is edged by mature tree, shrubs and stacked rock retaining walls... If the new residence was detached from the garage, with a 10ft gap, the setback requirements would be met by the residence would be too small to meet our needs".

Staff Response: The property is bordered by dense, mature vegetation which provides notable screening from Blackhawk Lane and surrounding properties. As also stated by the applicant, the buildable portion of the lot sits approximately 8-14 feet above the street by a rock retaining wall. This wall, which contains much of the mature vegetation on the site, provides additional screening.

The property is triangular and as such is considered an irregular lot. The front property line is 278 feet in length, which is significantly longer than typical lots within this zoning district, of which the minimum lot length is only 80 feet. Therefore, the front yard setback of 20 feet has

a greater impact on the lot, alone reducing the buildable area by 4,520 square feet, or 30.2% of the lot.

- B. That any variance is subject to the conditions that will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which the subject property is located.*

Applicant Response: The applicant's letter states that this request is specifically to allow for the construction of a new single family home to be attached to the existing garage.

Staff Response: This property is unique, as it currently has a compliant detached garage and the applicant wishes to attach a new residence to it. If approved, staff would recommend a condition that the variance only apply to the existing garage. Any new construction or additions to the garage or residence shall comply fully with all applicable regulations. This condition will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which the subject property is located.

- C. That special circumstances applicable to the property are not imposed by the property owner/applicant.*

Applicant Response: The applicant states that the previous trailer was 50 years old, and now wishes to replace it with a modern, 3 bedroom home.

Staff Response: Staff cannot confirm the age of the previous home. However, many of the residences along Blackhawk Lane and Brewer Road are considered to be older in age and many were constructed prior to the City's incorporation in 1988. The steep topography located in the front and rear portions further restrict the buildable areas of the lot. When the applicant applied for a permit to construct the existing garage in 2001, it was required to be constructed 10 feet away from the manufactured home to maintain the minimum building separation. In order to comply with this requirement, the garage was located within the rear yard setback as permitted by LDC 902.02.B. Based on aerial imagery of the site, the previous manufactured home was approximately 1,500 square feet in size. However, now that the applicant wishes to construct a 1,928 square foot home, a size typical of new homes.

SUMMARY

It is the role of the Board of Adjustment/Hearing Officer to review the application, the staff report and attachments and make findings regarding compliance or non-compliance with the adopted criteria to determine if a variance may be granted.

In summary, the subject property contains a legal, detached garage that partially encroaches into the rear yard setback, as permitted by the accessory structures in all districts (LDC Section 902.02.B). After demolishing the manufactured home on the lot, the property owner would like to construct a single family residence and attach it to the existing garage. However, the accessory structures section does not allow for primary residences and attached accessory structures to encroach into rear yard setbacks. With the only other option to leave the garage detached from the new residence, the home would need to comply with all property setbacks and maintain a 10 foot separation from the structure. In this case, the property owner has indicated that due to circumstances beyond their control (topography and lot shape), compliance would be difficult. These factors include:

- The lot is triangular in shape and thus considered an irregular lot as defined by the LDC.
- There is steep topography around much of the perimeter of the property.

- The flat portion of the lot is not easily expanded due to mature vegetation and slope.

Citing the difficulty of complying with applicable yard regulations if the garage and residence were to remain detached, the applicant is requesting a variance to reduce the rear yard setback from 20 feet to 12.5 feet (37.5% reduction).

If approved, staff would recommend the following conditions:

- This variance only allows the proposed residence to attach to the existing garage. No new structure may encroach into the required 20 foot rear setback and any new structure or addition shall comply fully with all applicable regulations.
- All existing trees on the property shall be preserved during construction activities.
- The applicant shall obtain a building permit for the proposed residence. Revised plans shall be resubmitted to the Community Development Department within 30 days of approval of the variance. A building permit for the proposed house shall be issued within 6 months. The Community Development Director may grant a one-time extension of 6 months if the property owner is working diligently to address all outstanding corrections.

RECEIVED
SEP 06 2018

Application for Variance

CITY OF SEDONA
COMMUNITY DEVELOPMENT



City Of Sedona

Community Development Department

102 Roadrunner Drive Sedona, AZ 86336
(928) 282-1154 • Fax: (928) 204-7124

Name:	RONALD JAI MULLIS	Date:	9/6/2018
Phone:	928 451 6016	Case#:	Var 18-0000J
Cell Phone:	928 451 6016	Fee:	780 ⁰⁰
Address:	75 BLACKHAWK LN, SEDONA		

Property Address:	75 BLACKHAWK LN, SEDONA	Parcel #:	401-26-002C
Legal Description of property:		Lot size:	.33 ACRES
or Legal Description is:	<input checked="" type="checkbox"/> Attached		

Statement of the precise nature of the variance requested: Attached

Statement of the practical difficulty or unnecessary physical hardship that would result from a strict or literal interpretation and enforcement of the specific zoning regulation: Attached

I hereby certify that I am the legal owner or authorized agent for the owner of the property for which this variance is being requested.

	9/6/2018
Authorized Signature	Date

Letter of Intent

The **precise nature of the variance being requested** involves allowing the intrusion of an existing garage (built 2001/02) into the rear setback of an irregularly shaped lot.

When built, the detached garage met setback requirements and had the minimum required distance from the existing residence.

An application has been made that replaces the existing mobile home and addition with a new, two-story family home that is attached to the existing garage.

Attaching the new house to the existing garage changes the setback requirements for the garage which would then be considered part of the residence.

The requested variance would allow the corner of the garage to intrude 7.5ft into the 20ft rear setback and reduce the rear setback from 20ft to 12.5ft.

The **practical difficulty or unnecessary physical hardship that would result from a strict or literal interpretation of the specific zoning regulations** relate to the inability to replace the existing 50 year old trailer and cement block addition with a modern, 3 bedroom home without attaching it to the existing garage.

The .33 acre, roughly triangular lot slopes down approximately 14ft down to a private road and is edged by mature trees, shrubs and stacked rock retaining walls.

The level portion of the lot is limited and not expandable.

As owner of this property, I require a modest, 3 bedroom home for 3 mature adults, one of whom has mobility issues. If the new residence was detached from the garage, with a 10ft gap, the setback requirements would be met but the residence would be too small to meet our needs.

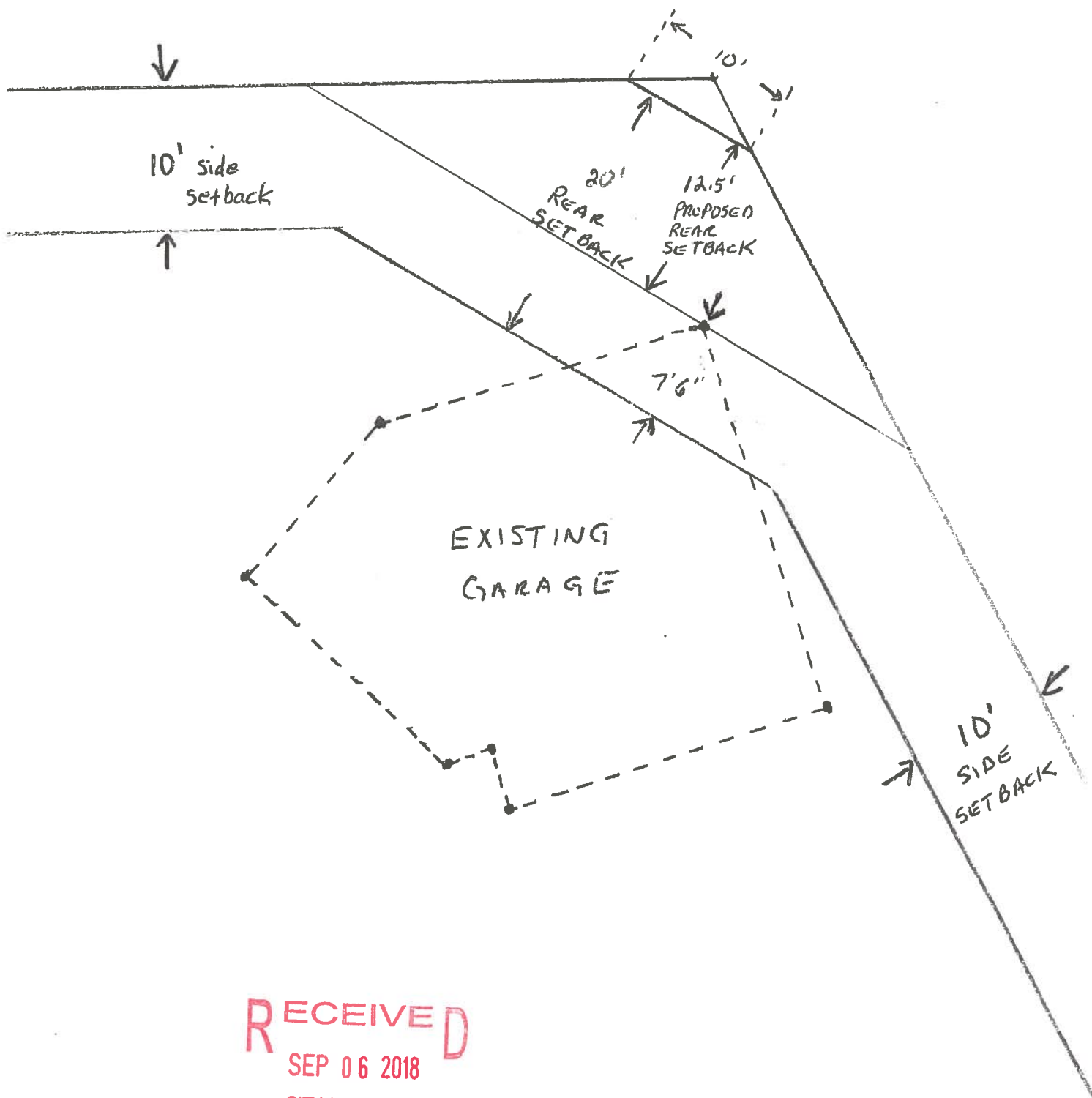
RECEIVED
SEP 06 2018
CITY OF SEDONA
COMMUNITY DEVELOPMENT

Ronald Jai Mullis - Owner

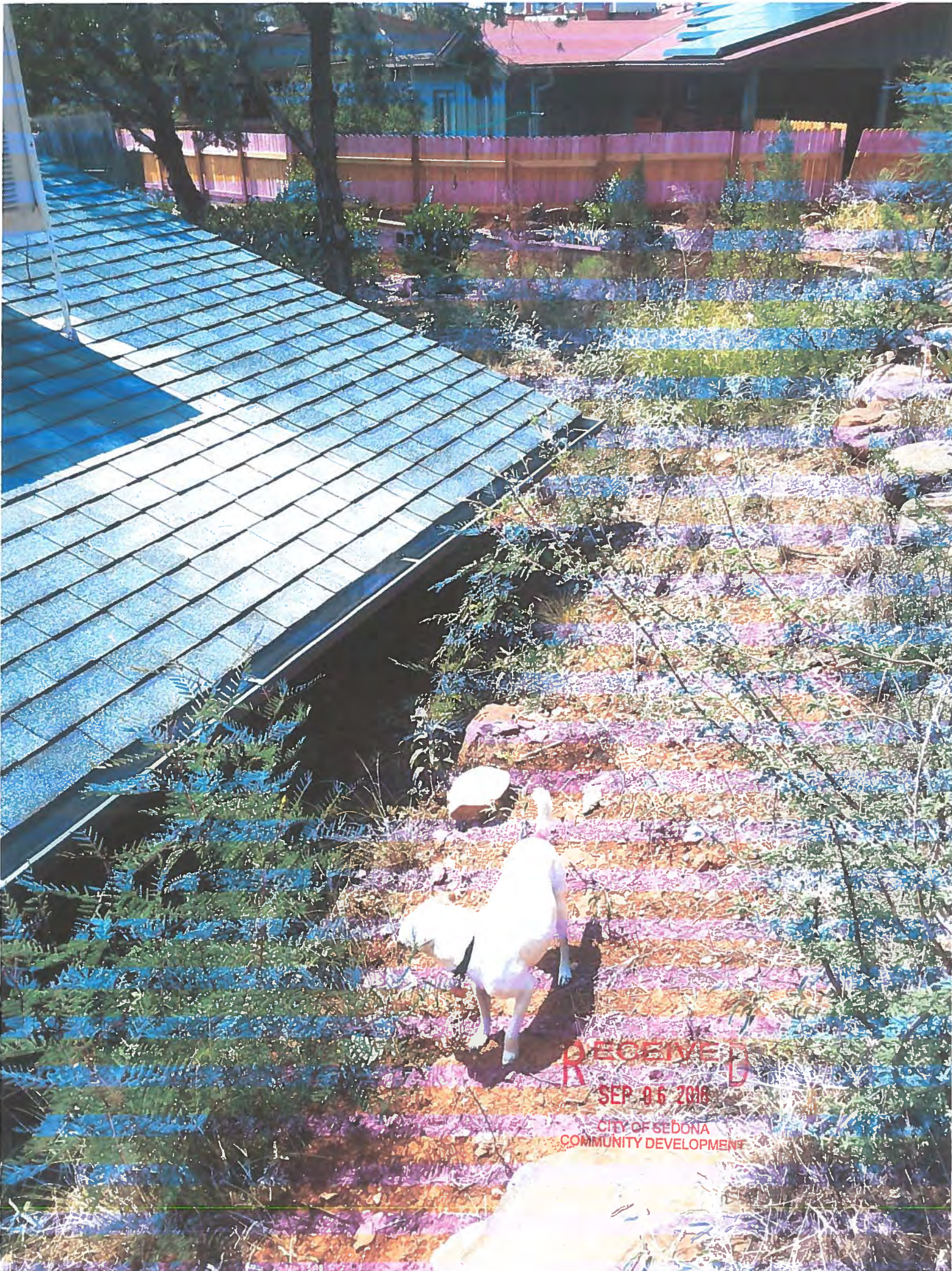


9/6/2018

REAR SETBACK DETAILS
IRREGULAR LOT
PARCEL # 401-26-002C



RECEIVED
SEP 06 2018
CITY OF SEDONA
COMMUNITY DEVELOPMENT



RECEIVED

SEP 05 2018

CITY OF SEDONA
COMMUNITY DEVELOPMENT

RECEIVED

SEP 06 2018

CITY OF SEBOKA
COMMUNITY DEVELOPMENT

75 BLACKHAWK LN. SEDONA
PARCEL # 401-26-002C

Order Number: 14610297

Exhibit A

A tract of land in the East half of Section 18, Township 17 North, Range 6 East of the Gila and Salt River Base and Meridian, Coconino County, Arizona, described as follows:

COMMENCING at the center of said Section 18;

Thence South 88 degrees, 20 minutes East, 335.7 feet;

Thence South 25 degrees, 31 minutes East, 26.0 feet to the POINT OF BEGINNING;

Thence South 75 degrees, 40 minutes East, 157.6 feet;

Thence South 56 degrees, 07 minutes East, 53.5 feet;

Thence South 07 degrees, 32 minutes East, 170.00 feet;

Thence South 03 degrees, 17 minutes West, 50.00 feet;

Thence South 10 degrees, 34 minutes West, 121.5 feet;

Thence North 25 degrees, 31 minutes West, 451.1 feet to the POINT OF BEGINNING.

TOGETHER WITH a non-exclusive right of ingress and egress, for roadway and utility purposes, across the following described parcel:

An easement for ingress and egress, for roadway and utility purposes, non-exclusive, 20 feet in width, lying to the left of a sideline described thus:

BEGINNING at a point that lies South 88 degrees, 20 minutes East, 335.7 feet and thence South 25 degrees, 31 minutes, 26.00 feet from the center of said Section 18;

Thence South 75 degrees, 40 minutes East, 157.6 feet;

Thence South 56 degrees, 07 minutes East, 53.5 feet;

Thence South 07 degrees, 32 minutes East, 170.00 feet;

Thence South 03 degrees, 17 minutes West, 50.00 feet;

Thence South 10 degrees, 34 minutes West, 121.5 feet.

EXCEPTING THEREFROM that portion of said land lying within the lines described in the Deed from Cleon R. Etter, et ux to Charles L. Knaus, et ux, recorded in Docket 297, Pages 583-591, as follows:

A tract of land in the Southeast quarter of Section 18, Township 17 North, Range 6 East of the Gila and Salt River Base and Meridian, Coconino County, Arizona, described as follows:

RECEIVED
SEP 06 2018
CITY OF SEDONA
COMMUNITY DEVELOPMENT

Order Number: 14610297

BEGINNING at the most Northerly corner of the Cleon R. Etter property which point is distance South 88 degrees, 20 minutes East, 335.7 feet and South 25 degrees, 31 minutes, 26.0 feet from the center of said Section 18;

Thence South 25 degrees, 31 minutes East, 164.0 feet;

Thence North 36 degrees, 59 minutes East, 136.4 feet to the Northeasterly line of said Etter property;

Thence along said Northeasterly line, North 75 degrees, 40 minutes, 157.6 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM that portion of said land lying within the lines described in the Deed from Cleon R. Etter, et ux to Meredith E. Turner, et ux, recorded in Docket 250, Page 622, as follows:

A tract of land in the Southeast quarter of Section 18, Township 17 North, Range 6 East of the Gila and Salt River Base and Meridian, Coconino County, Arizona, described as follows:

BEGINNING at a point on the Westerly line of the Cleon R. Etter property, which point is distance South 88 degrees, 20 minutes East, 335.7 feet and South 25 degrees, 31 minutes, 190.0 feet from the center of said Section 18;

Thence along said Westerly property line, South 25 degrees, 31 minutes, 105.0 feet;

Thence North 36 degrees, 45 minutes East, 148.1 feet to the Northeasterly line of said Etter property;

Thence along said Northeasterly line, North 07 degrees, 32 minutes West, 55.7 feet and North 56 degrees, 07 minutes West, 53.5 feet;

Thence South 36 degrees, 59 minutes West, 136.4 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM that portion of the Easement described above with lies Southerly of hat course and distance described in the Deed to Turner as follows:

North 36 degrees, 45 minutes East, 148.1 feet.

RECEIVED
SEP 06 2018
CITY OF SEDONA
COMMUNITY DEVELOPMENT

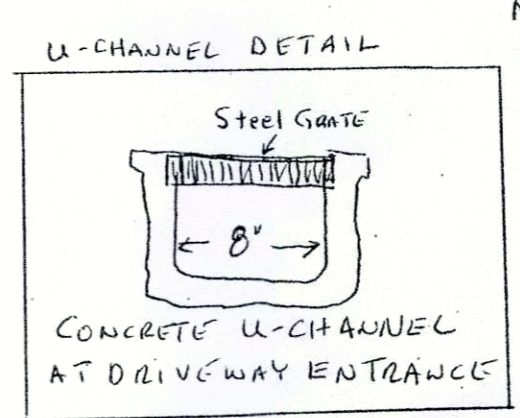
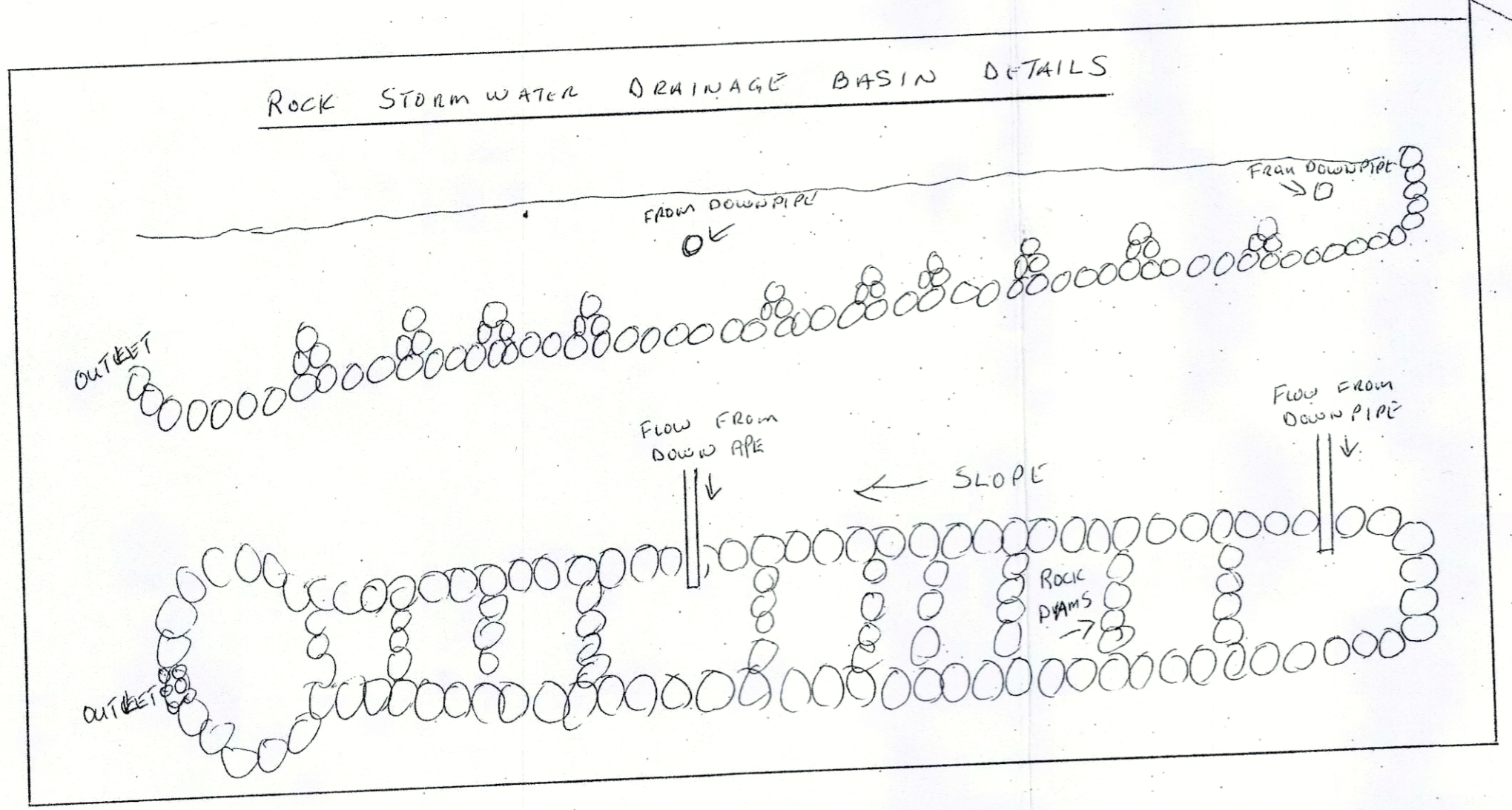
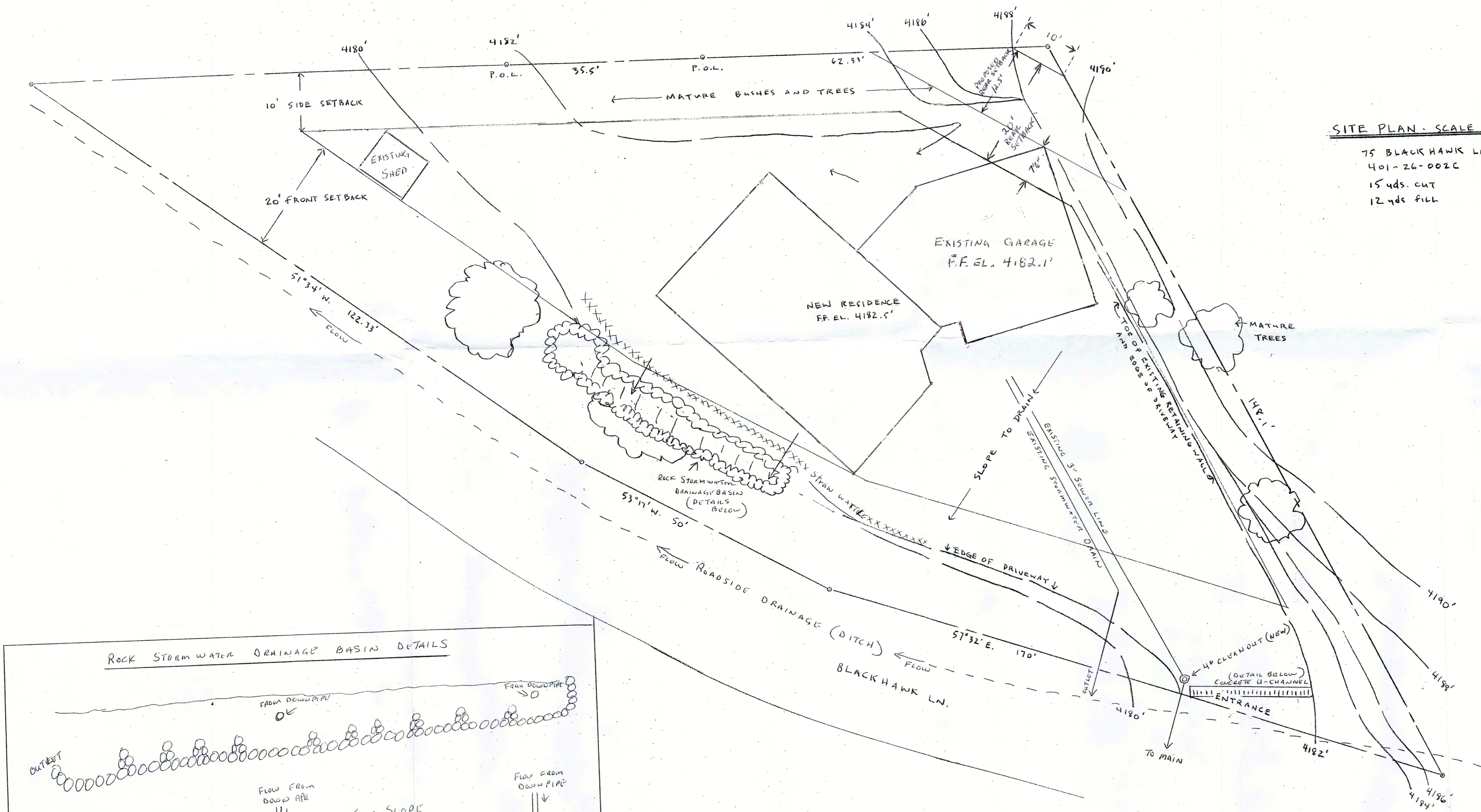
REVISIONS	BY

SHEET INDEX

- 1-SITE PLAN
- 2-FOUNDATION PLAN
- 3-FLOOR PLAN
- 4-ELEVATIONS
- 5-STRUCTURAL FRAMING
- 6-SECTION
- 7-SECTION
- 8-PLUMBING/MECHANICAL
- 9-ELECTRICAL

SITE PLAN - SCALE 1"=10'

75 BLACK HAWK LN.
 401-26-002C
 15 yds. cut
 12 yds. fill



SITE PLAN
 SCALE 1"=10'



RECEIVED
 SEP 06 2008
 CITY OF SEDONA
 COMMUNITY DEVELOPMENT

MULLIS RESIDENCE

75 BLACKHAWK LANE, SEDONA, ARIZONA

PLAN BY JON MULLIS 208-926-0080

DRAWN
CHECKED
DATE
SCALE
JOB NO.
SHEET
10
9 OF SHEETS



BREWER RD

BLACKHAWK LN

ROADRUNNER LN

75 BLACKHAWK LANE

BREWER SPUR



608 RS-10b Single-Family Residential District.

608.01 Purpose. This district is intended to promote and preserve medium density single-family residential development. The principal land use is single-family dwellings and incidental or accessory uses.

608.02 Use Regulations. Buildings, structures or premises shall be used and buildings and structures shall be erected, altered or enlarged only for the uses listed below. All other uses not specifically listed or determined to be similar to those described below shall be prohibited and unlawful.

A. Permitted Uses and Structures.

1. Accessory dwelling unit subject to the conditions as set forth in SLDC 918, Accessory dwelling units (ADU).
2. Accessory uses and structures located on the same lot as the principal uses and structures and including the following:
 - a. Swimming pools in other than the front yard;
 - b. The noncommercial keeping of household pets;
 - c. Fences and freestanding walls;
 - d. Quarters attached to the dwelling for servants and/or nonpaying guests excluding quarters with separate facilities for preparation of food;
 - e. Columbariums in association with an established religious institution, church or place of worship, as determined by the Director.
3. Detached guest house subject to the following conditions:
 - a. Guest house shall be architecturally treated in the same or compatible manner as the single-family dwelling. Mobile and manufactured homes, travel trailers and recreational vehicles shall not be used as guest houses;
 - b. Guest houses shall contain no kitchen facilities and shall be connected to the same utility services as the single-family dwelling;
 - c. Guest houses shall not be rented or used for purposes of supplemental income or used as a separate dwelling unit;
 - d. Detached guest houses must observe the same setbacks or yards required for the single-family dwelling;
 - e. A guest house may be converted to an accessory dwelling unit (ADU); provided, that it meets all ADU requirements as set forth in SLDC 918, Accessory dwelling units (ADU).
4. Home occupation uses subject to the requirements set forth in SLDC 915.
5. Occupancy of temporary housing, including travel trailers, during the construction of a permanent dwelling is allowed during the 12-month period after issuance of a building permit. A permit must be obtained prior to occupancy of the temporary housing.
6. Public utility installations not exceeding 650 square feet but not including public utility offices, water tanks, or repair or storage facilities.

7. One single-family dwelling or factory-built house, not including a mobile or manufactured home. Rentals of single-family dwellings for periods of less than 30 consecutive days are prohibited.

B. Uses Subject to Conditional Use Permit.

1. Accessory uses and structures located on the same site as a conditional use, including recreation facilities accessory to religious or educational institutions.
2. Day care and nursery schools.
3. Educational institutions, including charter schools and private schools, provided they offer a curriculum of general instruction similar to public schools subject to the requirements as set forth in SLDC 914.
4. Model homes.
5. Parks and recreational facilities.
6. Public utility and public service substations, water tanks, pumping plants and similar installations 650 square feet or greater but not including public utility offices or repair or storage facilities.
7. Religious institutions, columbariums, churches and places of worship, in permanent buildings.
8. Subdivision sales offices in permanent structures.

C. Uses Subject to Temporary Use Permit. Any use prescribed in SLDC 407.

608.03 Approvals Required. Prior to the construction of physical improvements and the issuance of a building permit, single-family residential review is required for single-family uses as outlined in SLDC 403. For all uses other than single-family residential, development review approval shall be obtained as outlined in SLDC 401. Where required, conditional use permits shall be obtained as outlined in SLDC 402 and temporary use permits shall be obtained as outlined in SLDC 407.

608.04 Property Development Standards. The following property development standards shall apply to all land and buildings permitted in the RS-10b District:

A. Lot Area. Each lot shall have a minimum lot area of 10,000 square feet.

B. Lot Dimensions.

1. All lots shall have a minimum width of 80 feet.
2. All lots shall have a minimum depth of 80 feet.

C. Density. Maximum dwelling units per acre: 4 units per 1 acre.

D. Lot Coverage. Maximum lot coverage shall not exceed 40% of the net lot area.

E. Yards.

1. Front Yard. There shall be a front yard having a depth of not less than 20 feet.
2. Interior Side Yard. There shall be an interior side yard of not less than 10 feet.
3. Exterior Side Yard. There shall be an exterior side yard of not less than 10 feet where a yard abuts a street.
4. Rear Yard. There shall be a rear yard of not less than 20 feet.

5. Separation Between Buildings. A building used for public or semi-public uses shall maintain a minimum separation of 50 feet from any single-family dwelling or accessory building.

F. Access. All lots shall have vehicular access on a dedicated street, unless other permanent vehicular access has been approved by the Director.

G. Distance Between Buildings. Distance between buildings shall be not less than 10 feet.

H. Height and Screening Regulations. All buildings, structures, walls and fences shall comply with the provisions of Article 9 SLDC.

I. Color and Materials. The exterior color and materials of all buildings, structures, walls and fences shall comply with the provisions of Article 9 SLDC.

J. Utilities. Utilities shall be provided in compliance with the provisions of Article 9 SLDC.

K. Trees. Trees shall be preserved and planted to comply with the provisions of Article 9 SLDC.

L. Outdoor Lighting. Outdoor lighting shall comply with the provisions of Article 9 SLDC.

M. Off-Street Parking. Off-street parking shall comply with the provisions of Article 9 SLDC.

N. Signs. Signs shall comply with the provisions of Article 11 SLDC.

[Ord. 2006-02, 1-10-2006; Ord. 2010-01 § 1, 1-12-2010 (Res. 2010-01 Exh. A, 1-12-2010); amended during 2012 recodification].

902 Accessory uses and structures.

902.01 General Requirements.

- A. Accessory uses, including facilities and equipment, are permitted in conjunction with any principal use, provided the accessory use is compatible with the principal use and does not alter the character of the premises. Any reference to a permitted use shall include the accessory use.
- B. Accessory buildings or structures may be attached to or detached from the principal or main building. No accessory building housing fowl or animals, other than domestic pets, may be attached to any dwelling unit.
- C. Accessory uses or structures are allowed prior to installation of the principal structure only when a building or construction permit is issued for the principal structure and construction of the principal structure begins within 6 months.

902.02 Accessory Structures in All Districts.

- A. An accessory structure that is attached to a main structure shall meet all of the requirements for location of the main structure.
- B. Detached accessory structures shall comply with the following:
 - 1. A detached structure shall meet the setback requirements of the main building for front and side yards.
 - 2. A detached accessory structure which does not exceed 15 feet in height may project to within 5 feet of the rear property line.
 - 3. Any detached structure located within the rear setback area cannot be used for residential purposes and shall not include cooking facilities, bathtubs or showers.
- C. In any multifamily residential district, mobile or manufactured homes may not be used as a main or guest dwelling or accessory structure.

902.03 Outside Storage.

- A. In all residential districts, a maximum area of 200 square feet may be used on any 1 lot or parcel for the outdoor storage of any used or secondhand materials, including, but not limited to, lumber, auto parts, household appliances, pipe, drums, machinery or furniture. Such outdoor storage shall be screened by a wall, fence, landscaping, structure, or other suitable screening from adjacent properties and streets, and shall be located only in rear or interior side yards.
- B. All boats, trailers, motor homes, travel trailers, recreational vehicles and buses shall be kept in reasonable repair and operable and neatly arranged in a parked condition, located in the rear or interior side yard and shall be screened from adjacent properties and streets by a wall, fence, gate, landscaping or other suitable screening. Operable motor vehicles may be parked on the driveway or access way to the garage or carport.
- C. No travel trailers, motor homes or recreational vehicles on residentially zoned parcels or lots shall be used or made suitable for use or occupancy.
- D. No mobile home shall be placed or kept on a lot without a current valid building permit and without erection of permanent foundations and hook-ups to facilities, permanent piers, blocks or foundations.
- E. The outside storage of objects and materials shall be permitted as an accessory use in C-1, C-2 and C-3 Districts, providing that such storage is totally screened from the view of any contiguous property, right-of-way or easement by means of a masonry wall, solid wood fence or other suitable screening and/or landscaping, unless otherwise provided for in Article 6 SLDC. Outside storage as an accessory use shall not include the display of merchandise for sale, except as provided in Article 6 SLDC. Vending machines permanently

installed against but outside a structure shall not be considered an outside display, provided the number of such machines is approved by the Director.

F. The outside placement of metal storage containers shall be limited to C-1, C-2, C-3 and RS-70 zones. No storage unit shall exceed the individual dimensions of 20 feet in length by 8 feet wide by 10 feet in height (20 feet by 8 feet by 10 feet).

[Ord. 2006-02, 1-10-2006].



A modern, single-story garage with a large open bay door. The building features light-colored horizontal siding and a dark roof. The bay door is open, revealing a dark interior with various tools and equipment. To the left of the bay door, there is a small window and a door. To the right, there is a utility panel and a green trash bin. The building is situated on a gravel driveway.

A construction site area on the left side of the image. It is enclosed by orange safety fencing. A traffic cone is visible in the foreground. The ground is dirt and gravel. In the background, there are trees and a utility pole.

A green trash bin with a black lid, located on the right side of the image. The bin has the text "Taylor Waste" and a logo on it. It is situated on a gravel surface next to a stone wall.

A long, dark shadow cast across the gravel driveway in the foreground, extending from the right side towards the left. The shadow is cast by an object out of frame, likely the camera or a nearby structure.















