

SUBCHAPTER 74: ACCESSORY STRUCTURES

74.005 General Provisions Regarding Accessory Uses

Accessory uses, including accessory dwelling units, shall comply with all requirements for the principal use except when specifically modified by this section.

A. Attached Accessory Buildings. Any accessory building attached to the main building shall be considered a part of the main building and shall be subject to the same requirements as the main building. Accessory structures shall be considered as being attached to the main building when any portion of the accessory structure is located within four (4) feet of the main building.

B. Setbacks in Residential Zones.

1. Attached accessory uses in residential zones are required to meet the setbacks in Subchapter 18.
2. Garages may extend in front of the front façade if they are side-oriented to the front lot line and:
 - a. Windows occupy a minimum of 25% of the street-facing wall of the garage. Horizontal slider windows and windows that use mirrored or reflective glass are prohibited.
 - b. Street facing windows incorporate all the following elements:
 - i. Header cap. A decorative header cap as shown in Section 19.005(I)(5).
 - ii. Continuous trim. Trim shall be a minimum of 3 ½ inches wide and project no less than ½ inch from the wall;
 - iii. Windowsill. A projected or articulated windowsill as shown in Section 19.005(I)(5).
 - c. All non-street facing windows shall incorporate continuous trim.
 - d. The roof shall incorporate a primary gable or hip roof with a minimum 4/12 pitch.
 - e. The street-facing elevation of the garage shall incorporate two of the following:

- i. Knee braces;
- ii. Wainscoting; or
- iii. Multiple siding types/materials that are complementary to the primary siding types permitted in Section 19.005(H).

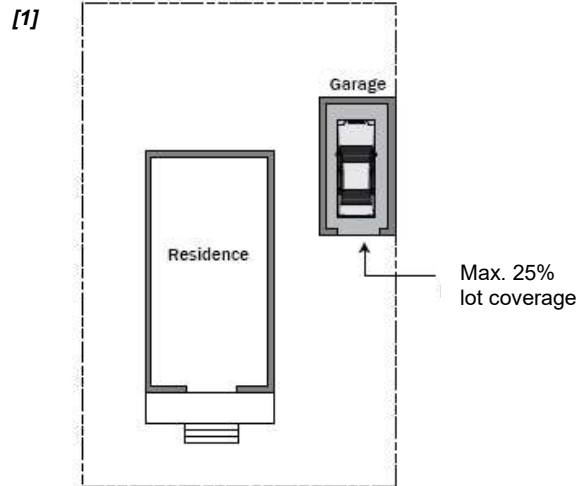
f. All roof eaves (overhangs) shall project a minimum of 12 inches from the exterior façade of the building and incorporate a gutter.

C. Detached Accessory Buildings.

1. Residential Zones. In the RS, RM, RH and MX zones, detached accessory structures shall:

- a. Not exceed two (2) in number.
- b. Not cover more than 25 percent of the total area of any lot.
- c. Meet the setbacks and height requirements in Subchapter 18.

2. All Other Zones. In all other zones, accessory structures may occupy no more than 25 percent of the total area of any lot and must meet the same setback requirements of the zone in which the property is located.



Accessory structures. [1] Detached, covered accessory structures should not exceed a maximum lot coverage of 25 % of the site as they are secondary uses and should not detract from the primary use [2] They can be used to house an attached dwelling unit.

D. Accessory Structures in Front Yards and Near Streets. No accessory structure exceeding two (2) feet in height, except a fence, shall be permitted in a required front yard or within five (5) feet of any street as defined in this ordinance. This provision does not apply to alleys.

74.010 Specific Standards for Accessory Dwelling Units

A. Accessory dwelling units shall be subject to the following criteria:

1. One accessory dwelling unit is allowed per legal building lot as a subordinate use in conjunction with any detached single-family structure.
2. Accessory dwelling units are required to meet the applicable Residential Design Standards, except as modified below:
 - a. If an accessory dwelling unit is oriented to a street or an alley, the structure is required to have windows on 15 percent on the front of the building (rather than the 25 percent required in IDC 19.005(I)).
 - b. If an accessory dwelling is set behind a building and is not adjacent to a street or alley, no minimum window requirements apply.
3. No off-street parking is required for an accessory dwelling unit.
4. Accessory dwelling units shall not be more than 800 square feet in size, excluding any related garage area that is constructed for the use. All accessory dwelling units shall be permanently affixed to the ground.
5. Where an accessory dwelling unit is proposed inside or attached to a single-family residence, only one entrance to the main building is permitted in the front of the principal residence. A separate entrance for the accessory unit shall be located off the side or the rear of the building.
6. Accessory dwelling units shall meet all technical code standards including building, electrical, fire, plumbing, and other applicable code requirements.
7. An accessory dwelling unit and the primary structure on the lot shall have a single water meter, and the water bill for the units shall be in the name of the property owner.
8. System Development Charges shall be charged at the same level as required for a second unit in a duplex.
9. Addressing for an accessory dwelling unit shall be approved by the City of Independence.

74.020 Specific Standards for Accessory Uses

A. Fences.

1. Standards for Zones

a. Residential Zones.

- i. Height. In the RS, RM and MX zones, fences in the front yard shall not exceed 3 ½ feet in height unless the fence is constructed of a non sight-obscuring material. Side, rear and non sight-obscuring front yard fences shall not exceed seven (7) in height.

- ii. Materials. Fences shall be made of wood, brick, vinyl or wrought iron. Chain link fences shall be prohibited.

- b. Commercial and Industrial Zones. Fences enclosing commercial or industrial uses, for which there is no height limitation, must be at least eight (8) feet high if topped with barbed wire or other injurious material.

2. Vision Clearance Standards for All Fences. All fences which are located within vision clearance areas at street and alley intersections shall not exceed 3 ½ feet in height from the adjacent curb elevation and shall be constructed of a material which is non sight-obscuring.

3. Standards for Materials. All fences shall be constructed of such material as to be compatible with the surrounding area. No sheet metal, metal roofing, plywood, broken or splintered material, pallets, barbed wire, pig wire, woven wire or farm fence wire shall be used. Stained or discolored fence material shall be painted. All fencing shall be constructed so that the finished side shall face outward. All fences



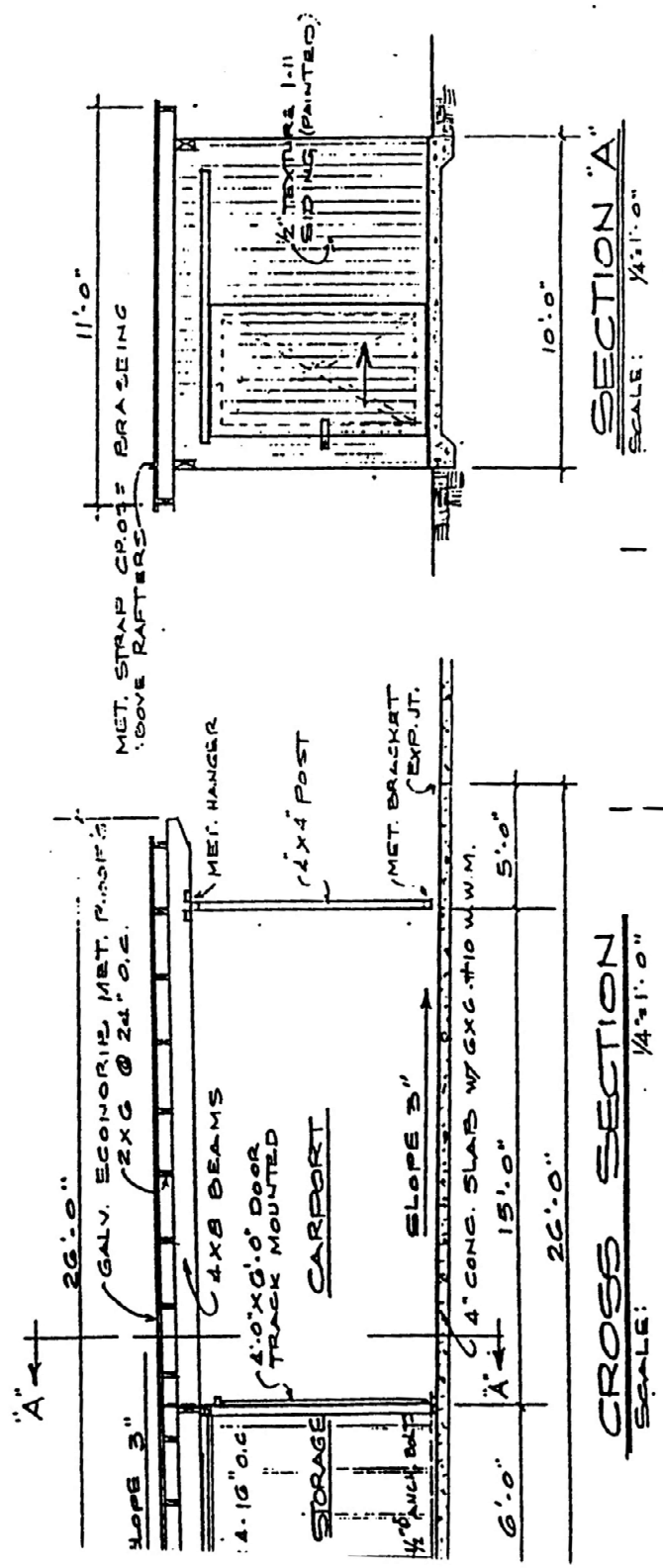
Fences. [1] Fences should be made of wood brick or wrought iron. [2] Front yard fences should not exceed 3 1/2 so as not to inhibit surveillance.

shall be maintained so as to be in an upright, self-standing condition and repaired with the same or similar materials used in the existing fence.

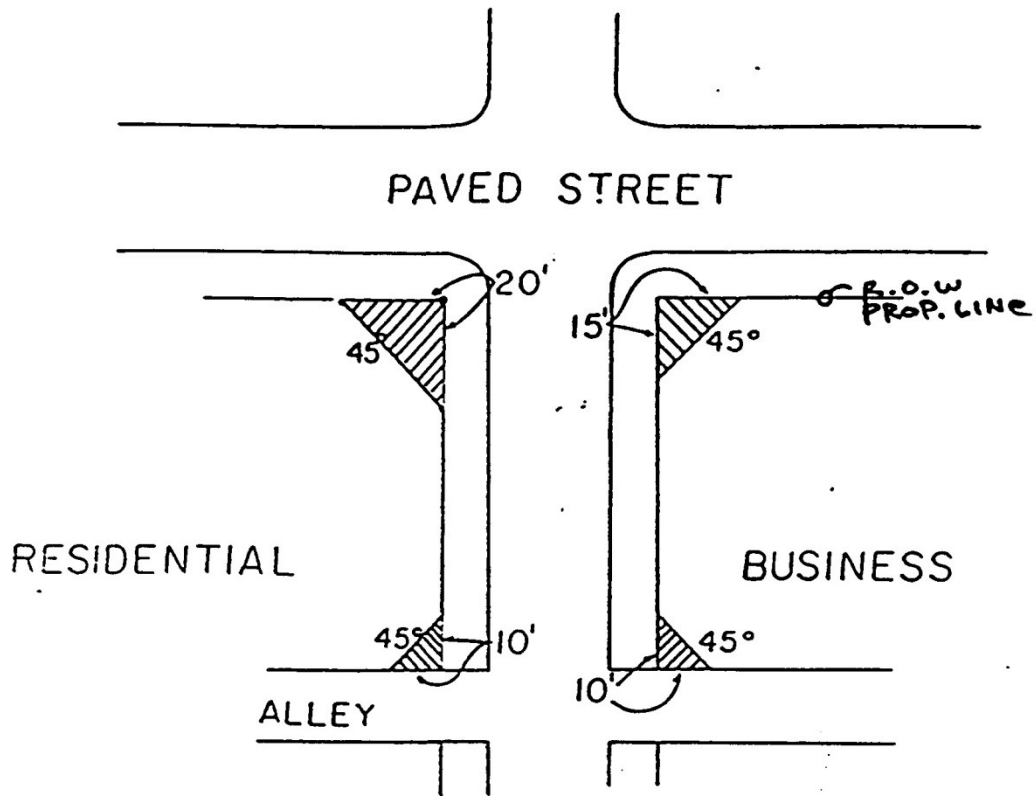
4. Required to Meet State and Local Codes. The construction of the fence shall meet all State and local codes. Fees and plans showing the location, materials and design of all fences shall be submitted to the city for a permit prior to construction.

B. Swimming Pools.

A swimming pool may be located within a rear yard or side yard provided that the pool meets the setback requirements for the zone in which the pool is located. Any pool installed shall be protected against accidental entry by a fence not less than 48" in height with a self-closing, self-locking gate not less than 48" from the edge of the pool.



PLANTING and FENCE RESTRICTIONS




SET BACKS

RESIDENTIAL	- 20'
BUSINESS	- 15'
ALLEYS	- 10'

VISION CLEARANCE

MIN.- MAX. HGT. REQUIREMENTS

RESIDENTIAL	- $\leq 42''$
BUSINESS	- $\leq 42''$ or $\geq 10'$

 - VISION CLEARANCE AREA