

Section 41: Accessory Buildings, Structures, and Uses

SECTION 41:

- 41.01 Purpose
- 41.02 Building Permit
- 41.03 Attached Structures
- 41.04 Location Regulations for All Districts
- 41.05 Location Regulations for Residential Districts
- 41.06 Location Regulations for Business and Industrial Districts
- 41.07 Dimensional Limits & Construction Standards
- 41.08 Carports
- 41.09 Time of Construction
- 41.10 Mailboxes
- Side and Rear Setback Chart

41.01 Purpose: The purpose of this Section is to establish provisions regulating the location, type, and dimensional standards for Accessory Buildings, Structures, and Uses.

41.02 Building Permit:

Subd. 1. Accessory Buildings 120 Square Feet or Smaller. Detached Accessory Buildings not exceeding 120 square feet in floor area shall be allowed without the issuance of a building permit, but shall comply with all other provisions of this Ordinance, except as may be specifically provided herein.

Subd. 2. Accessory Buildings Greater Than 120 Square Feet. Detached Accessory Buildings greater than 120 square feet in floor area shall require a building permit. The Building Official shall review the site plan and construction drawings to determine compliance with the Building Code and other applicable ordinances, laws, and regulations.

Subd. 3. Carports. Carports greater than 120 square feet or carports attached to a structure shall require a building permit.

41.03 Attached Structures:

Subd. 1. Integral Part of the Principal Building. An attached Accessory Structure/Building (including garage units) shall be considered an integral part of the principal building and shall comply in all respects with the requirements of this Ordinance applicable to the principal

Section 41: Accessory Buildings, Structures, and Uses

building. Attached Accessory Structures/Buildings shall meet all required principal building setbacks of the applicable zoning district.

41.04 Location Regulations for All Districts:

Subd. 1. Distance from Principal Structure.

- A. Detached Accessory Structures. Detached Accessory Structures of any size shall be at least 6 feet from the principal structure.

Subd. 2. Prohibited Locations. Except as may be specifically provided, no Accessory use, Building, or Structure shall be located in:

- i) the front yard;
- ii) within a drainage and utility easement;
- iii) below the ordinary high water mark of a public water or wetland; or
- iv) within the setback requirements from the ordinary high water mark of any body of water governed by the Municipal Shoreland Management Act Laws of Minnesota, as amended.

Subd. 3. Doors. Any structure, building, or improvement, except a Fence, shall not be erected or constructed so as to allow the door to extend beyond any lot line.

Subd. 4. Interference with Off-Street Parking Prohibited. All Accessory Structures shall be so located on lots so as to not interfere with required off-street parking.

Subd. 5. Fire Protection Access. All Accessory Structures shall be so located on lots so as to not interfere with safe and convenient access for fire protection.

41.05 Location Regulations for Residential Districts:

Subd. 1. Prohibited In Front Yard. In all Residential Districts, except the AG district, detached Accessory Structures shall not be permitted in front yards except if there is no attached garage, a detached garage may

Section 41: Accessory Buildings, Structures, and Uses

extend beyond the front line of the principal building provided that the garage does not encroach on the front yard setback.

Subd. 2. Permitted In Side and Rear Yards. Accessory Structures and Buildings, both attached and detached, are permitted in side yards and rear yards provided they comply with the following minimum side and rear yard setbacks: (A chart summary is located on page 9.)

A. Side Yard Setbacks:

1) Accessory Buildings 120 Square Feet or Smaller.

- a) In all Residential Districts, except the AG District, Accessory Buildings 120 square feet or smaller may not be located closer than 5 feet from the side property line nor closer than 20 feet from a public street.
- b) In the AG District, Accessory Buildings 120 square feet or smaller may not be located closer than 30 feet from the side property line except that buildings that will house livestock or any farm animals, may not be located closer than 50 feet from the side property line.

2) Accessory Buildings Greater Than 120 Square Feet.

- a) AG District: Accessory Buildings greater than 120 square feet may not be located closer than 30 feet from the side property line except those buildings that will house livestock or any farm animals may not be located closer than 50 feet from the side property line.
- b) R-1 & RB-1 Districts: Accessory Buildings greater than 120 square feet may not be located closer than 5 feet from the side property line nor closer than 20 feet from a public street.
- c) R-2, R-3, R-4, & MXR Districts: Accessory Buildings greater than 120 square feet may not be located closer than 10 feet from the side property line nor closer than 20 feet from a public street.

Section 41: Accessory Buildings, Structures, and Uses

3) Exception: Accessory Buildings (any size) & Garages Abutting an Alley.

- a) In all Residential Districts, except the AG District, Accessory Buildings or Garages may not be closer than 15 feet from an alley unless the vehicle entrance of the Garage backs upon a public alley, in which case the Garage must be at least 20 feet from the public alley right of way.
- b) In the AG District, Accessory Buildings or Garages must be at least 30 feet from an alley unless the building will house livestock or any farm animals, in which case the building must be at least 50 feet from an alley.

B. Rear Yard Setbacks:

1) Accessory Buildings 120 Square feet or Smaller.

- a) In all Residential Districts, except the AG District, Accessory Buildings 120 square feet or smaller may not be located closer than 5 feet from the rear yard.
- b) In the AG District, accessory buildings 120 square feet or smaller may not be located closer than 50 feet from the rear yard.

2) Accessory Buildings Greater Than 120 Square Feet.

- a) AG District: Accessory Buildings greater than 120 square feet may not be located closer than 50 feet from the rear property line.
- b) R-1 & RB-1 Districts: Accessory Buildings greater than 120 square feet may not be located closer than 5 feet from the rear property line.
- c) R-2, R-3, R-4, & MXR Districts: Accessory Buildings greater than 120 square feet may not be located closer than 10 feet from the rear property line.

Section 41: Accessory Buildings, Structures, and Uses

- 3) Exception: Accessory Buildings (any size) & Garages Abutting an Alley.
 - a) In all Residential Districts, except the AG District, Accessory Buildings or Garages may not be located closer than 15 feet from an alley unless the vehicle entrance of the Garage backs upon a public alley, in which case the Garage must be at least 20 feet from the public alley right of way.
 - b) In the AG District, Accessory Buildings or Garages may not be located closer than 50 feet from an alley.

41.06 Location Regulations for Business and Industrial Districts:

- Subd. 1.** Prohibited In Front Yard. Accessory Structures shall not be allowed in the front yard of business or industrial properties except that buildings for parking attendants, guard shelters, gate houses, and transformer buildings shall be allowed in the front yard with approval of a Conditional Use Permit.
- Subd. 2.** Side and Rear Yard Setback. Accessory Structures and Uses shall not be located closer than 10 feet from side and rear property lines unless the property abuts residentially zoned or used property in which case the Accessory Structures or Uses shall be at least 30 feet from the property line.

41.07 Dimensional Limits & Construction Standards:

- Subd. 1.** Height. In all districts, Accessory Structures shall not exceed 17 feet in height except by Conditional Use Permit.
- Subd. 2.** Door Height. In Residential Districts, no access door or other opening shall exceed 10 feet in height.
- Subd. 3.** Size. In Residential Districts, no Accessory Building shall exceed 1,200 square feet
- Subd. 4.** Residential Districts: Maximum Coverage. Accessory Structures shall not occupy more than 25% of the area of the rear yard in Residential Districts.

Section 41: Accessory Buildings, Structures, and Uses

- Subd. 5.** Business and Industrial Districts: Maximum Coverage. Accessory Structures shall not occupy more than 30% of the rear yard in Business and Industrial districts.
- Subd. 6.** Type. Except in the AG District, Accessory Structures greater than 120 square feet shall be of similar type, quality, and appearance as the principal Structure.
- Subd. 7.** Cement Slab. In all districts, a cement or concrete slab is required for Garages attached to the Principal Structure.
- Subd. 8.** Metal Corrugated Siding or Permanent Sheet Metal Prohibited. In all districts, Accessory Structures with metal corrugated siding or permanent sheet metal shall be prohibited.
- Subd. 9.** Roof Pitch. In all districts, detached Accessory Buildings and other Accessory Structures shall have not less than a 4:12 roof pitch or more than a 12:12 roof pitch.

41.08 Carports:

- Subd. 1.** A Carport shall be permitted in any Zoning District provided that:
- i) A building permit is obtained if the carport is greater than 120 square feet or attached to a structure;
 - ii) It does not exceed 600 square feet;
 - iii) It is only used for the covering of licensed and operable passenger vehicles not to exceed 12,000 pounds and other licensed and operable recreational vehicles, including but not limited to boats, trailers, snowmobiles, and ATVs;
 - iv) In the City's sole discretion, it is constructed in a workmanlike manner and of substantial material suited for its intended purpose; and
 - v) The materials and design do not cause blight.
- Subd. 2.** Prefabricated carports shall only be permitted if they comply with all building code standards.

Section 41: Accessory Buildings, Structures, and Uses

41.09 Time of Construction:

Subd. 1. No Accessory Building or Structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.

41.10 Mailboxes: Mailboxes shall be erected subject to United States Postal Regulations and Minnesota law. Additionally, mailboxes are subject to the following regulations.

- A. Definitions. For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.
1. Boxes. All mail boxes, paper boxes, and advertising boxes, wherein either mail is distributed, newspapers and magazines are distributed, or advertising is placed for the use of residents of the City.
 2. Rural Farm Areas. Homes located on premises within the city limits with at least five acres or more.
- B. Requirements. The placement of all boxes shall comply with the following:
1. The minimum height from the top of the curb to the bottom of the frame holding the box shall be no less than 36 inches;
 2. No newspaper boxes can be below 36 inches from the top of the curb;
 3. The bottom of the mail box shall be approximately 42 inches from the top of the curb;
 4. Boxes shall be allowed to be placed in the boulevard of City streets except those streets where the curb reaches the sidewalk and there is no boulevard.
- C. Location of Boxes on City Streets.
1. No boxes shall be placed within ten feet of any storm sewer inlet or any fire hydrant.
 2. Where there is more than one house on a City block, boxes shall be located in a cluster. Paper boxes and advertising boxes must be located in the same cluster as the mail boxes. The clusters shall be centrally located in the middle of the homes to be served. The

Section 41: Accessory Buildings, Structures, and Uses

clusters shall be placed on the north or east side of the street on a City street that is not a cul-de-sac, unless the line of travel for postal delivery requires placement elsewhere as directed by the Post Office.

3. For cul-de sacs, the cluster shall be placed on the left side of the road facing the entrance to the cul-de-sac; and the cluster shall be placed a minimum of 10 feet from the beginning of the radius of the cul-de-sac.

Section 41: Accessory Buildings, Structures, and Uses

CITY OF MAPLE LAKE:
SIDE AND REAR YARD SETBACKS FOR
ACCESSORY BUILDINGS
IN RESIDENTIAL DISTRICTS

MINIMUM SIDE YARD SETBACKS			
	Accessory Buildings 120 Square Feet or Smaller	Accessory Buildings Greater than 120 Square Feet	Alley: Accessory Buildings (any size) & Garages
AG	a) 30 feet b) 50 feet if it houses animals	30 feet	a) 30 feet b) 50 feet if it houses animals
R-1 RB-1	5 feet but not within 20 feet of a public street	5 feet but not within 20 feet of a public street	15 feet, but if the vehicle entrance abuts an alley: 20 feet
R-2 R-3 R-4 MXR	5 feet but not within 20 feet of a public street	10 feet but not within 20 feet of a public street	15 feet, but if the vehicle entrance abuts an alley: 20 feet

MINIMUM REAR YARD SETBACKS			
	Accessory Buildings 120 Square Feet or Smaller	Accessory Buildings Greater than 120 Square Feet	Alley: Accessory Buildings (any size) & Garages
AG	50 feet	50 feet	50 feet
R-1 RB-1	5 feet	5 feet	15 feet, but if the vehicle entrance abuts an alley: 20 feet
R-2 R-3 R-4 MXR	5 feet	10 feet	15 feet, but if the vehicle entrance abuts an alley: 20 feet