

**Chapter 5**  
**ACCESSORY USES**

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5A-5-1        **Accessory Buildings**, *Amended 18-19-950*

- A.        Where an accessory building is structurally attached to a main building, it shall be subject to, and must conform to all regulations of this Title applicable to the main building.
- B.        An accessory building may not be located nearer to any interior lot line than that permitted for the main building, when any part of this accessory building is on line with the main building, if extended. However, when an accessory building is located in the rear yard, it may not be located within three feet of any lot line.
- C.        An accessory building shall not be erected prior to the establishment or construction of the main building to which it is accessory.
- D.        No accessory building shall be located on a reverse corner lot beyond the front yard required on the adjacent lot to the rear, nor be located nearer than three feet to side lot line of the adjacent building.
- E.        Zoning lots that contain a detached garage shall be permitted one additional accessory building.
- F.        An accessory building shall not exceed a maximum size of 144 square feet and a maximum height of 12 feet.

5A-5-2        **Antennas in Residential Zoning Districts**

5A-5-2.1      **Regulations**

No antenna shall be erected, constructed, maintained or operated in any residential zoning district except in conformance with the following regulations:

- 1.        Antennas with Surface Areas of 10 Square Feet or Less: Antennas and antenna support structures having a combined surface area not greater than 10 square feet, and no single dimension exceeding 12 feet, shall be permitted as an accessory use.

2. Antennas, Other Than Amateur Radio Facilities, With Surface Areas Exceeding 10 Square Feet: Antennas and antenna support structures having a combined surface area greater than 10 square feet, or having any single dimension exceeding 12 feet, shall be permitted as an accessory use only in compliance with the regulations in Section 5A-5-2.2 herein.

#### 5A-5-2.2 **Limitations**

- A. Number: No more than one such antenna and antenna support structure may be located on any zoning lot.
- B. Height: No such antenna or antenna support structure shall exceed 12 feet in height unless such antenna and antenna support structure is attached to a building pursuant to Section 5A-11-5-D4 herein.
- C. Diameter: No such antenna or antenna support structure shall exceed 10 feet in diameter.
- D. Attachment to Buildings: No such antenna or antenna support structure shall be attached to a principal or accessory structure unless all of the following conditions are satisfied:
  1. Size: The antenna and its support structure shall not exceed 15 square feet in area or 12 feet in any dimension.
  2. Height: The antenna and its support structure shall not extend more than three feet above the highest point of the building on which it is mounted or the maximum permissible building height, whichever is less.
  3. Mounting: The antenna and its support structure shall not be attached or mounted upon any building appurtenance, such as a chimney. The antenna and its support structure shall not be mounted or attached to the front of any principal building or to the side of any building facing a street, including any portion of the building roof facing any street. The antenna and its support structure shall be designed to withstand a wind force of 80 miles per hour on its own and without the support of guy wires.
  4. Color: The antenna and its support structure shall be a color that blends with the roof or building side on which it is mounted.
  5. Grounding: The antenna and its support structure shall be bonded to a grounding rod.
  6. Other Standards: The antenna and its support structure shall satisfy such other design and construction standards as the Building Inspector determines are necessary to ensure safe construction and maintenance of the antenna and its support structure.

7. Screening: The antenna and its support structure shall be located so as to provide the maximum, reasonably achievable screening, as determined by the Building Inspector, of such antenna and antenna support structure from view from adjoining properties and public or private streets.
- E. Setback from Street: No such antenna or its support structure shall be erected or maintained closer to any street than the wall of the principal building to which it is accessory that is nearest to such street.
- F. Guy Wires Restricted: No guy or other support wires shall be used in connection with such antenna or its support structure except when used to anchor the antenna or support structure to an existing building to which such antenna or support structure is attached.
- G. Screening: When any such antenna and antenna support structure is ground mounted, appropriate landscaping or fencing shall be located and maintained between such ground-mounted antenna and antenna support structure and each lot line of the property on which it is located so as to provide the maximum, reasonably achievable screening as determined by the Building Inspector, of such antenna and antenna support structure from view from adjoining properties and public or private streets. Notwithstanding the foregoing, no such screening is required to extend more than 10 feet in height.

#### 5A-5-3      **Antennas in Business and Industrial Zoning Districts**

No antenna shall be erected, constructed, maintained or operated in any business or industry zoning district except in conformance with the following regulations:

1. Antennas with Surface Areas of 10 Square Feet or Less: Antennas and antenna support structures having a combined surface area not greater than 10 square feet, and no single dimension exceeding 12 feet, shall be permitted as an accessory use.
2. Antennas, Other Than Amateur Radio Facilities, With Surface Areas Exceeding 10 Square Feet: Antennas and antenna support structures having a combined surface area greater than 10 square feet, or having any single dimension exceeding 12 feet, shall be permitted as an accessory use only in compliance with the regulations herein.

##### 5A-5-3.1      **Limitations**

- A. Number Limited: No more than one such antenna and antenna support structure may be located on any zoning lot.
- B. Height Limited: No such antenna or antenna support structure shall exceed 12 feet in height unless such antenna and antenna support structure is attached to a building pursuant to Section 5A-5-3D herein.
- C. Diameter Limited: No such antenna or antenna support structure shall exceed 10 feet in diameter.

- D. Attachment to Buildings Limited: No such antenna or antenna support structure shall be attached to a principal or accessory structure unless all of the following conditions are satisfied:
1. Height: The antenna and its support structure shall not extend more than three feet above the highest point of the building on which it is mounted or the maximum permissible building height, whichever is less.
  2. Mounting: The antenna and its support structure shall not be attached or mounted upon any building appurtenance, such as a chimney. The antenna and its support structure shall not be mounted or attached to the front of any principal building or to the side of any building facing a street, including any portion of the building roof facing any street. The antenna and its support structure shall be designed to withstand a wind force of 80 miles per hour on its own and without the support of guy wires.
  3. Color: The antenna and its support structure shall be a color that blends with the roof or building side on which it is mounted.
  4. Grounding: The antenna and its support structure shall be bonded to a grounding rod.
  5. Other Standards: The antenna and its support structure shall satisfy such other design and construction standards as the Building Inspector determines are necessary to ensure safe construction and maintenance of the antenna and its support structure.
  6. Screening: The antenna and its support structure shall be located so as to provide the maximum, reasonably achievable screening, as determined by the Building Inspector, of such antenna and antenna support structure from view from adjoining properties and public or private streets.
  7. Setback from Street: No such antenna or its support structure shall be erected or maintained closer to any street than the wall of the principal building to which it is accessory that is nearest to such street.
- F. Guy Wires Restricted: No guy or other support wires shall be used in connection with such antenna or its support structure except when used to anchor the antenna or support structure to an existing building to which such antenna or support structure is attached.
- G. Screening: When any such antenna and antenna support structure is ground mounted, appropriate landscaping or fencing shall be located and maintained between such ground-mounted antenna and antenna support structure and each lot line of the property on which it is located so as to provide the maximum, reasonably achievable screening as determined by the Building Inspector, of such antenna and antenna support structure from view from

adjoining properties and public or private streets. Notwithstanding the foregoing, no such screening is required to extend more than 10 feet in height.

#### **5A-5-4 Amateur Radio Facilities With Surface Area Exceeding 10 Square Feet**

In any zoning district, any antenna and antenna support structure having a combined surface area greater than 10 square feet or having any single dimension exceeding 12 feet that is capable of transmitting as well as receiving signals and is licensed by the Federal Communications Commission as an amateur radio facility must satisfy each of the conditions in Section 5A-5-4.1 herein.

##### **5A-5-5.1 Conditions**

- A. **Number Limited:** No more than one such antenna support structure with a surface area greater than 10 square feet or any single dimension exceeding 12 feet may be located on any zoning lot.
- B. **Height Limited:** No such antenna support structure shall, if ground mounted, exceed 75 feet in height of, if attached to a building pursuant to Section 5A-5-4.1C herein, the height herein specified.
- C. **Attachment to Buildings Limited:** No such antenna or its support structure shall be attached to a principal or accessory structure unless all of the following conditions are satisfied:
  - 1. **Height:** The antenna and its support structure shall not extend more than 20 feet above the highest point of the building on which it is mounted.
  - 2. **Mounting:** The antenna and its support structure shall not be attached to or mounted upon any building appurtenance, such as a chimney. The antenna and its support structure shall not be mounted or attached to the front of any principal building or to the side of any building facing a street, including any portion of the building roof facing any street. The antenna and its support structure shall be designed to withstand a wind force of 80 miles per hour on its own and without the support of guy wires.
  - 3. **Grounding:** The antenna and its support structure shall be bonded to a grounding rod.
  - 4. **Other Standards:** The antenna support structure shall satisfy such other design and construction standards as the Building Inspector reasonably determines are necessary to ensure safe construction and maintenance of the antenna and its support structure.

- D. Setback from Street: No such antenna or its support structure shall be erected or maintained closer to any street than the wall of the principal building to which it is accessory that is nearest to such street.
- E. Setbacks from Adjacent Buildings: No such antenna or its support structure shall be located in any required side yard or nearer than one-half the height of the antenna and support structure to any habitable building on any adjacent property.

**5A-5-5 Additional Regulations for Antennas and Antenna Support Structures in All Zoning Districts**

**5A-5-5.1 Certificate of Compliance**

In addition to any other provisions, no such antenna or antenna support structure permitted under Sections 5A-5-2, 5A-5-3 and 5A-5-4 shall hereafter be constructed, altered or enlarged in the Village unless a certificate of zoning compliance therefor has been issued by the Building Inspector. An application for such certificate shall be accompanied by two sets of plans, two plats of survey, and electrical, construction and design specifications drawn to scale and showing locations, heights, structural design, and any other pertinent information or certifications deemed necessary by the Building Inspector to demonstrate compliance with all provisions of this Title and the Village's Building Code. When applicable, an application for a certificate of zoning compliance shall include landscaping plans demonstrating that the screening requirements of Sections 5A-11-5.2D7 and 5A-11-6.1D6 will be satisfied within eight months after the date of the issuance of such certificate. A refundable cash deposit in an amount estimated by the Building Inspector as necessary to cover the cost of implementing the proposed landscaping and screening must accompany each application for a certificate of zoning compliance for the antenna and antenna support structure. The deposit shall be returned when, but only when, a final inspection by the Building Inspector confirms that all required landscaping and screening are in place.

**5A-5-5.2 Restrictions**

Unless specifically provided to the contrary, when the regulations of Sections 5A-5-2, 5A-5-3 or 5A-5-4 herein are more restrictive than any other regulations generally applicable within the zoning districts, the provision of those sections shall apply.

**5A-5-5.3 Surface Area**

For purposes of Sections 5A-5-2, 5A-5-3 and 5A-5-4, the surface area of an antenna and its support structure shall be determined by adding together the actual surface area of each solid element or part of the antenna or its support structure, where "solid" is defined to include all air spaces that are fully bounded by solid elements.

**5A-5-5.4 Exemptions**

The foregoing special regulations shall not apply to antennae and antennae support structures owned or maintained by the Village.

5A-5-6      **Swimming Pools**, 18-19-950

Swimming pools shall be located only in the rear yard of a lot in the E-1, R-1, R-2, R-3, R-4, R-5, R-6, R-7 and Agricultural Zoning Districts subject to a minimum side yard setback of ten feet and a rear yard setback of three feet.