

ORDINANCE NO. ____
CITY OF CHAMPLIN
COUNTY OF HENNEPIN
STATE OF MINNESOTA

**ORDINANCE AMENDING SECTION 381 OF CHAPTER 126 OF THE CHAMPLIN
CITY CODE REGARDING ACCESSORY BUILDINGS AND USES**

CHAPTER 126- ZONING

Sec. 126-381. Accessory buildings and uses.

(a) General criteria.

- (1) When an accessory building is attached to the main building, it shall be made structurally a part of the principal building and shall comply in all respects with requirements of this section applicable to the principal building.
- (2) An accessory building, unless attached to and made a part of the main building, shall not be closer than six feet to the principal building or another accessory building, except as otherwise provided in this section.
- (3) No building permit shall be required for accessory buildings containing 200 square feet gross floor area or less. However, such buildings and their placement shall be reviewed by the building official to ensure compliance with all applicable regulations set forth in this chapter.
- (4) A detached accessory building shall not be located in any required front or side yard on single frontage lots, except for lots abutting the Mississippi River, subject to section 126-383.
- (5) A detached accessory building may be allowed on a double frontage lot; provided the following conditions are met:
 - a. The accessory building shall be located on the opposite side of the dwelling as the access drive or driveway;
 - b. The accessory building shall meet a 20-foot front yard setback; and
 - c. All other applicable requirements and setbacks are met.
- (6) A detached garage may be located in the front or side yard; provided it meets the minimum front yard setback specified for the principle building on the lot.
- (7) In R-1 and R-2 districts, existing attached garages may be expanded to 25 feet from the front property line, provided the following conditions are met:
 - a. The existing attached garage cannot be reasonably expanded due to side yard setbacks, drainage and utility easements, significant trees or living space.
 - b. The existing attached garage shall be less than 484 square feet prior to expansion.
 - c. Construction of the garage addition shall be architecturally compatible with the existing attached garage, including but not limited to siding and roofing materials.

d. Attached garages may not encroach into the required front yard setback on lots adjacent to principal and minor arterial roads and major collector roads as identified in the city's comprehensive transportation plan.

(b) Time of construction. 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.

(c) Building materials. No accessory building shall be constructed of canvas, plastic fabric or other similar nonrigid material. All accessory buildings in excess of 120 square feet shall be constructed with exterior materials and finish that match or compliment the exterior finish of the principal structure.

(d) ~~Size. The city will utilize six lot sizes to calculate allowable accessory building square footage. The city will also utilize the following descriptions of home styles to calculate the total square footage to be applied to one of the six lot sizes:~~

(1) ~~Rambler or slab on grade home: total square footage of living space contained on or at grade as defined herein.~~

(2) ~~Multi-level home: total square footage of living space on levels at or above grade as defined herein.~~

(3) ~~Split-level home: total square footage of living space contained above grade as defined herein.~~

(4) ~~Two-story or modified two-story home: total square footage of living space at grade as defined herein and one half the total contained on the second story.~~

a. ~~Lots less than 14,520 square feet (one third of an acre). The maximum allowable square footage for accessory buildings, attached and/or detached, shall not exceed the total square footage of living space contained on, at or above grade as defined herein, or up to a maximum of 1,000 square feet by conditional use permit.~~

b. ~~Lots equal to or greater than 14,520 square feet (one third of an acre) but less than 21,780 square feet (one half of an acre). The maximum allowable square footage for accessory buildings, attached and/or detached, shall not exceed the total square footage of living space contained on, at or above grade as defined herein, or up to a maximum of 1,200 square feet by conditional use permit.~~

c. ~~Lots equal to or greater than 21,780 square feet (one half of an acre) but less than 32,670 square feet (three quarters of one acre). The maximum allowable floor space for accessory buildings, attached and/or detached, shall not exceed the total square footage of living space contained on, at or above grade as defined herein, or up to a maximum of 1,400 square feet by conditional use permit.~~

d. ~~Lots equal to or greater than 32,670 square feet (three quarters of one acre) but less than 43,560 square feet (one acre). The maximum allowable floor space for accessory buildings, attached and/or detached, shall not exceed the total square footage of living space contained on, at or above grade as defined herein, or up to a maximum of 1,600 square feet by conditional use permit.~~

e. ~~Lots equal to or greater than 43,560 square feet (one acre) but less than 87,120 square feet (two acres). The maximum allowable floor space for accessory buildings, attached and/or detached, shall not exceed the total~~

~~square footage of living space contained on, at or above grade as defined herein, or up to a maximum of 1,800 square feet by conditional use permit.~~

~~f. Lots equal to or greater than 87,120 square feet (two acres). The maximum allowable floor space for accessory buildings, attached and/or detached, shall not exceed the total square footage of living space contained on, at or above grade as defined herein, or up to a maximum of 2,000 square feet by conditional use permit.~~

The allowable square footage for accessory buildings, attached and/or detached, shall not exceed ten percent of the total lot area, up to a maximum of 2,200 square feet.

(e) Size of individual structure. The maximum allowable size for an individual attached or detached structure is limited to 1,000 square feet, except by conditional use permit.

(f) Height. The maximum height of an accessory structure shall be as prescribed in the applicable zoning district.

(g) Setbacks. Accessory buildings shall be set back from adjoining lots as prescribed in the applicable zoning district and shall not be located within a drainage and/or utility easement.

(h) Conditional use permits. Application for a conditional use permit under this section shall be regulated by article II, division 2 of this chapter. Such conditional use permit for an accessory building includes, but is not limited to, the following:

(1) No commercial or home occupation activities are conducted within the accessory building;

(2) In no case shall an attached garage exceed the total square footage of living space contained on, at or above grade as defined herein;

(3) The accessory building shall be maintained in a manner that is compatible with the adjacent residential uses and does not present a hazard to the public health, safety and general welfare;

(4) The application for conditional use permit shall include a screening plan consisting of privacy fencing and/or landscaping to minimize the impact to adjacent residents; and

(5) The accessory structure shall be positioned on the lot to minimize impact on adjacent property.

(i) Maximum number of accessory buildings. The maximum number of detached accessory buildings for any lot of record shall not exceed two structures.

(j) Maximum land coverage of single accessory structure/garage. No single accessory structure/garage may exceed 20 percent of the land area of the yard in which it is located.

(k) Sum total of land. The sum total of land occupied by all accessory buildings located in the area of the required rear yard shall not exceed 40 percent of that yard.

(l) Reserved.

(m) Air conditioning units. Air conditioning units, excluding window units, shall be located a minimum of five feet from all lot lines and shall not be located within a drainage and utility easement.

(n) Encroachments. Play and recreational facilities, private dog kennels, permanently installed laundry drying equipment, detached outdoor living rooms and gazebos (less than or equal to 500 square feet) may be located within:

- (1) A rear yard or side yard; provided they are set back at least five feet from all lot lines; and
- (2) The yard opposite the driveway on a double frontage lot or the street side yard; provided they are set back at least 20 feet.

No encroachment shall be permitted in existing or required drainage and utility easements unless approved by the city.

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Additions: Add

Deletions: Delete

This ordinance shall become effective following its passage and publication as required by law.