

**§ 159.020 ACCESSORY STRUCTURES OR USE.**

No accessory structure or use, as defined herein shall hereafter be built, moved or remodeled, established, altered or enlarged unless such accessory structure or use is permitted by the ordinance. Accessory uses are permitted in any zoning district in connection with any principal use which is permitted within such district.

(A) Accessory use limitations and conditions. Each accessory structure and use shall comply with the applicable use limitations in the zoning district in which it is located and, in addition:

(1) Where an accessory structure is attached to the principal building, it shall be subject to and must conform to all regulations of this ordinance and other applicable ordinances of the village, i.e. Fire Prevention Code ([Chapter 91](#)), Building Code ([Chapter 150](#)).

(2) No accessory structure or use shall be constructed, occupied or established on any lot prior to the completion of the principal structure to which it is accessory.

(3) No accessory structure or use shall be permitted in any yard unless it is a permitted yard obstruction as provided in § [159.015](#).

(4) Outdoor storage, where permitted, shall be maintained in such a manner so as to prevent the over-growth of weeds, grasses and other obnoxious plant material, and the harboring of rodents and other animal and insect pests.

(5) Buildings and structures essential, incidental or customary to the pursuit of agriculture are exempt from the requirements of this section.

(6) On a corner lot occupied by a principal residential structure that is legally nonconforming with respect to the corner side yard set-backs, accessory uses and structures may be located in said corner side yard provided they maintain the same setback as the principal residential structure.

(7) The square foot area of all accessory buildings and structures, above grade level, shall be counted as part of the percentage of the total lot coverage as permitted in each zoning district. This shall include, but is not limited to, decks, sheds, detached garages, and swimming pools as defined in this section.

(8) Use restrictions. Except as permitted herein, accessory buildings or structures shall not be used for the keeping of livestock, poultry, or rabbits, whether or not for pecuniary gain unless the buildings and structures are located 50 feet from side and rear lot lines, and there shall be not more than one livestock for each 20,000 square feet of lot area with a minimum lot area of one acre.

(B) Permitted yard obstructions.

(1) No accessory structures and uses, except those which are permitted as obstructions in yards as indicated in § [159.015](#), Table of Permitted Yard Obstructions, shall be established, constructed or altered in, or moved to any yard. For the purpose of this section:

(a) Front yard shall refer to the open space on a lot between the front lot line and all of the vertical planes forming the front elevation of the principal structure;

(b) Rear yard shall refer to the open space on a lot between the rear lot line and all of the vertical planes forming the rear elevation of the principal structure, but excluding any corner side yard;

(c) Side yard shall refer to the open space on a lot between the side lot line and the vertical plane(s) forming the side elevation of the principal structure closest to the side lot line, but excluding any rear or front yard; and,

(d) Corner side yard shall refer to the open space on a lot between the corner side lot line and the vertical plane forming the side wall(s) of the principal structure closest to the corner side lot line, but excluding any rear or front yards.

(C) Location and height. All accessory structures and uses, permitted as obstructions in yards, as indicated in § [159.015](#), Table of Permitted Yard Obstructions, shall comply with the following requirements, unless provided otherwise in this ordinance:

(1) No accessory structure or use except fences shall be constructed, occupied or established on any public utility, drainage, or pipeline easement, except with the written permission of all utility companies and the village having rights to use the easement.

(2) No detached accessory structure, building or use, except fences and hedges, patios, walkways, driveways, hot tubs, pergolas, gazebos, or bars. hereafter erected or altered shall be located less than ten feet from the principal building on the lot, or less than five feet from any other accessory structure on the lot.

(3) All accessory structures, buildings and uses, except fences, hedges, driveways, and walkways hereafter erected or altered shall be set back a minimum of five feet from the side lot line, ten feet from the rear lot line, and shall not be located in the required front or corner side yard setbacks, except as permitted in § 159.015. Except, in the area zoned R-5A an accessory structure may have a seven foot setback from the rear lot line.