

ACCESSORY DWELLINGS

What is an accessory dwelling?

A dwelling unit that is smaller than the existing single-family structure and provides complete independent living facilities for one or more people.

An accessory dwelling unit provides permanent accommodations for living, sleeping, eating, cooking, and sanitation on the same lot as the primary residence.

Short-term rentals (such as Airbnb or Vrbo) do NOT qualify as an accessory dwelling unit.

Where are they permitted?

Accessory dwellings are allowed as a permitted use in the following districts:

- AG
- RR
- R-1
- R-2

Do I need approval or a building permit?

If the accessory dwelling is located in one of the above districts, it does not require approval from the Plan Commission or BZA. If you would like an accessory dwelling unit in any other district, it would require a Use Variance from the BZA.

All accessory dwellings must obtain a building permit before any construction activities are started.

What standards apply to them?

Zoning District

It must comply with all development standards (such as setbacks) for the zoning district.

Ownership

A single-family dwelling (house) that is owner-occupied must be located on the same parcel and the accessory dwelling must be under the same ownership.

Self-Sufficient Unit

It must meet current building codes for a single-family dwelling and be a complete dwelling with permanent areas for sleeping, eating, cooking, and sanitation.

Height

Maximum of 30 feet (or height of primary structure).

Size

220 to 800 sq ft of living area but cannot exceed 50% of the primary dwelling.

Structure

An RV (or similar) cannot be an accessory dwelling but a manufactured home is permitted.

Location

Can be located in a side or rear yard (not front yard).

Utilities

Must have approved sewage disposal (sewer/septic) and water.

Access

Cannot have a separate driveway entrance from the public road (but driveway can split once on the parcel).

*See Chapter 3.C.3.a: Accessory Dwelling Standards for all use standards.

ACCESSORY STRUCTURES

What is an accessory structure?

Any structure or building that is not attached to the foundation of the primary structure and is located on the same parcel.

Accessory structures **MUST** be:

- Ancillary and complementary to the use of the primary structure.
- Subordinate in height and area (except AG, I1, and I2).
- Total area of all accessory structures cannot exceed the primary structure (except AG, I1, and I2).

What accessory structures do not need a building permit?

A building permit is **NOT** required for the following and may be placed in the front, side, or rear yard unless specified below:

- Accessory structures 200 sq ft or less
- Landscaping/vegetation
- Fences/trellises
- Concrete slabs/paved sports courts
- Swing sets/children's treehouses trampolines/play structures (CANNOT be located in the front yard)
- Bird baths/bird houses/housing for domestic pets (excludes kennels)
- Lamp posts
- Mailboxes (excluding cluster units over 200 sq ft)
- Utility installation (cable, fiber, wifi – excludes solar and wind)
- Retaining walls/walks
- Ponds, drainage installations

When do I need a building permit for an accessory structure?

A building permit is **REQUIRED** for the following and must be located at or behind the front building façade unless specifically allowed by the UDO:

- ALL accessory structures with a permanent foundation (regardless of size)
- Accessory buildings and structures (permanent or temporary) over 200 sq ft such as:
 - Pole barns/storage sheds
 - Decks
 - Garages/carports
 - Enclosed patios
 - Swimming pools (above or in-ground)
 - Pool/bath houses
 - Gazebos/shelters/cabanas/pavilions/ pergolas
 - Greenhouses
 - Solar/wind structures (free standing, co-located, and attached)
- Signs
- Temporary storage containers
- Wireless communication facilities (cell towers)
- Commercial/industrial parking lots (new or expanded)

Where can I put an accessory structure?

Must meet all setback and height requirements of the zoning district.

Cannot be located in an easement.

HOME OCCUPATION & HOME-BASED BUSINESS

What is a home occupation?

A home occupation includes any activity carried out for economic gain by a resident and conducted in the resident's dwelling unit or property.

Home occupations **MUST** comply with the following:

- Business activities must be entirely within the primary dwelling or accessory structure on the same parcel.
- No employees, clients, or visitors are allowed (other than those who live on the property). No on-site retail sales are permitted.
- All structures must retain a residential character.
- No display or storage of goods/products or other items can be visible from the exterior of the premises.

Where are they permitted?

Home occupations and home-based businesses are allowed in the following districts. Home-based businesses **MUST** obtain BZA approval prior to starting the use (home occupations do not require BZA approval):

- AG
- RR
- R-1
- R-2
- R-3
- B-1

What is a home-based business?

A home-based business includes any activity carried out for economic gain by a resident and conducted in the resident's dwelling unit or property.

Home-based businesses **MUST**:

- Business activities must be entirely within the primary dwelling or accessory structure on the same parcel.
- A maximum of 6 employees can be on-site per day with no more than 2 employees on-site at one time (other than those who live on the property).
- A maximum of 10 clients/visitors can be on-site per day with no more than 2 clients/visitors on-site at one time (other than those who live on the property).
- All structures must retain a residential character.
- Parking and display/storage of products/goods must be behind the front elevation of the primary house unless a solid fence/masonry wall is approved by the Administrator or BZA.
- No additional driveways are permitted from a public road.
- Business hours are limited to Monday-Friday, 7:00 am-7:00 pm.

Do I need approval or a building permit?

A building permit is required for any plumbing, electrical, structural, or other building improvements. If no structures are being altered or added, then a building permit is not required.

TEMPORARY SIGNS

PERMITTED TEMPORARY SIGNS (Total of 2 temporary signs permitted per parcel)

Sign Type	Permitted Districts	Maximum Size	Duration (whichever is greatest)
Hanging Sign Yard Sign	All Districts	<ul style="list-style-type: none"> • 16 sq ft sign area per sign • 5 ft height 	<ul style="list-style-type: none"> • Property is for sale or lease; • Project is under construction; or • 30 consecutive days but no more than twice in a calendar year.
Awning Sign Banner Sign Ground Sign Inflatable Sign Wall Sign Window Sign	I69-O AG & AI B-1, B-2 & B-3 I-1 & I-2	<ul style="list-style-type: none"> • 32 sq ft sign area per sign • 8 ft height 	<ul style="list-style-type: none"> • Property is for sale or lease; • Project is under construction; or • 30 consecutive days but no more than twice in a calendar year.
Portable Sign	AG & AI B-1, B-2 & B-3 I-1 & I-2	<ul style="list-style-type: none"> • 32 sq ft sign area per sign • 6 ft height • *EVMS Permitted 	Non-EVMS: <ul style="list-style-type: none"> • During business hours *EVMS: <ul style="list-style-type: none"> • During business hours; and • Permitted 2 days within a 6-month period

*Above does not include Exempt Signs.

Where can I put a temporary sign and do I need a permit?

All signs must comply with the setbacks of the zoning district.

Signs **CANNOT**:

- Be located in a right-of-way (including on a traffic control device, utility pole, street sign, or tree).
- Obstruct the vision clearance triangle at an intersection.
- Be placed within 10 feet of any property line.

Temporary signs do not need a permit.



PERMANENT SIGNS

MAXIMUM CUMULATIVE AREA OF ALL SIGN FACES

RR, R-1, R-2 & R-3	2 sq ft per parcel, except Monument Signs as permitted below
I69-O	1.5 sq ft per 1 linear foot of primary building frontage (200 sq ft maximum) ²
B-1, B-2 & B-3	
AG & AI	2 sq ft per 1 linear foot of primary building frontage (200 sq ft maximum) ²
I-1 & I-2	

PERMITTED PERMANENT SIGNS

Sign Type	Permitted Districts	Maximum Size	Maximum Number & Placement
Awning Sign	I69-O AG & AI B-1, B-2 & B-3 I-1 & I-2	50 sq ft sign face but cannot exceed 50% of awning area	Must be placed on primary structure
Mailbox Sign	RR, R-1, R-2 & R-3	1 sq ft per sign face	Must be placed on a mailbox post
Monument (Ground) Sign	RR, R-1, R-2 & R-3 ³ I69-O AG & AI B-1, B-2 & B-3 I-1 & I-2	<ul style="list-style-type: none"> 32 sq ft per sign face 6 ft height 50 sq ft per sign face 8 ft height EVMS Permitted 	1 double-faced or 2 single-faced per vehicular entrance to a subdivision, residential complex, or other development ³
Pole Sign	AG & AI B-1, B-2 & B-3 I-1 & I-2	<ul style="list-style-type: none"> 50 sq ft per sign face 20 ft height EVMS Permitted 	1 per parcel
Projecting Sign	I69-O AG & AI B-1, B-2 & B-3 I-1 & I-2	<ul style="list-style-type: none"> 12 sq ft per sign face EVMS Permitted 	<ul style="list-style-type: none"> 1 per primary entrance Minimum 8.5 ft clearance above grade Maximum extension of 4 ft beyond supporting structure
Wall Sign	RR, R-1, R-2 & R-3 I69-O AG & AI B-1, B-2 & B-3 I-1 & I-2	1 sq ft per sign face 50 sq ft per sign face	<ul style="list-style-type: none"> 1 per parcel in residential Must be placed on primary structure
Window Sign	I69-O AG & AI B-1, B-2 & B-3 I-1 & I-2	<ul style="list-style-type: none"> 50 sq ft sign face but cannot exceed 50% of window area 2 sq ft sign face if illuminated 	Must be within window on primary structure

Where can I put a permanent sign and do I need a building permit?

- All signs must comply with the setbacks of the zoning district.
- Signs **CANNOT**:
 - Be located in a right-of-way (including on a traffic control device, utility pole, street sign, or tree).
 - Obstruct the vision clearance triangle at an intersection.
 - Be placed within 10 feet of any property line.
- Permanent signs REQUIRE a building permit.



FENCES

Where can I build a fence?

Fences can be placed on the property line (do not have to comply with accessory structure setbacks), but they must be at least 5 feet from a public right-of-way (street).

Structural supports must face inward.

Cannot be within any easement.

Do I need a building permit?

Fences do not require a building permit.

What materials are prohibited?

The following fence materials are prohibited:

- Razor wire/barbed wire
- Electrified fences (excluding underground pet fence systems)

These fence materials may be used for agricultural or industrial purposes if located in a side or rear yard.

The I-69 Overlay has additional materials requirements (see *Chapter C.1.g.ii*)

How tall can my fence be?

- RR, R-1, R-2, and R-3: Maximum height of 3 feet in a front yard and 6 feet in a rear and side yard.
- AG, B-1, B-2, and B-3: Maximum height of 6 feet in a front yard and 10 feet in a rear and side yard.
- I-1, I-2, and AI: Maximum height of 10 feet in a front, side, and rear yard.

*Note that a corner lot has two (2) front yards.