



## RESIDENTIAL ACCESSORY STRUCTURE APPLICATION CHECKLIST

**\*\*\* WORK MAY NOT BEGIN UNTIL PERMIT IS ISSUED \*\*\***

- ☐ Completed and signed Building Permit application with estimated cost of construction.
- ☐ Site Plan\* which should include the following:
  - Dimensions from property lines
    - ◆ Accessory structures 200 square feet or less shall not be closer than 3 feet to any lot line.
    - ◆ Accessory structures greater than 200 square feet shall not be closer than 10 feet to any lot line.
  - Dimensions from existing structures on property
  - Corner Lots: Your side yard must conform to Front Yard Setbacks.
- ☐ Application Fee - To be determined (Due once the permit application has been approved)  
(Please see Permit Fee Schedule on back of Building Permit Application)
- ☐ Zoning Review Fee - \$50.00 (Due at the time of application)  
(A pre-inspection will be completed prior to the issuance of a Building Permit to confirm the site plan indicating where the fence will be installed meets zoning code requirements.)

Accessory  
Structure  
Information

☐ **Size of Structure**

☐ Proposed Size of Structure \_\_\_\_\_ ft. X \_\_\_\_\_ ft.

☐ **Height of Structure**

☐ Proposed Height of Structure \_\_\_\_\_ ft.

☐ **Existing Structures**

☐ # of Existing Accessory Structures on Property \_\_\_\_\_

☐ Size of Existing Structures

☐ 1. \_\_\_\_\_ ft. X \_\_\_\_\_ ft.

☐ 2. \_\_\_\_\_ ft. X \_\_\_\_\_ ft.

When Permit is Ready	<ul style="list-style-type: none"><li>• Once the Building Permit application has been processed and the Building Permit has been issued, the <i>Permit Applicant</i> will be notified that the Building Permit has been approved and is ready for payment.</li><li>• Permits will not be issued until fees are collected.</li><li>• Permit fees may be paid by check or cash.</li><li>• Permits that have no activity within 6 months of the issuance date may be canceled.</li></ul>
Inspections	<p>Building Permits for Accessory Structures require the following inspections:</p> <ul style="list-style-type: none"><li>• Zoning Review: A pre-inspection will be completed prior to the issuance of a Building Permit to confirm the site plan indicating where the fence will be installed meets zoning code requirements.</li><li>• Final Inspection: Once the project has been completed, please contact the Community Development Department 48 hours in advance to schedule the inspection.</li></ul>

(A) *Accessory building or accessory structures in any district.*

- (1) No accessory building or accessory structure may be permitted on a lot which does not contain a principal use or principal building.
- (2) No accessory building or accessory structure shall be placed in any required front or side yard.
- (3) Accessory buildings shall be no closer than ten feet to any other building on the same lot unless:
  - (a) A one hour fire separation is provided as per the Michigan Building Code between the accessory building and other buildings.
  - (b) It is one of the following:
    - i. Dog houses.
    - ii. Pergolas.
    - iii. Play houses.
    - iv. Pump houses.
    - v. Accessory buildings similar to the above.
  - (c) It is an accessory building 200 square feet or less; in this case it shall be a minimum of three feet from any other building on the same lot.
  - (d) As specified elsewhere in the zoning ordinance or City Code of Ordinances.
- (4) Swimming pools shall be no closer than ten feet to any building on the same lot unless:
  - (a) It is one of the following:
    - i. Dog houses.
    - ii. Pergolas.
    - iii. Play houses.
    - iv. Pump houses.
    - v. Accessory buildings similar to the above.
- (5) An accessory building or accessory structure 200 square feet or less located in a rear yard shall not be closer than three feet to any lot line unless specified elsewhere in the zoning ordinance or City Code of Ordinances; accessory buildings or accessory structures greater than 200 square feet located in a rear yard shall be no closer than ten feet to any lot line unless specified elsewhere in the zoning ordinance or City Code of Ordinances.
- (6) Residential kennels shall be no closer than six feet to the principal building on the same lot and no closer than six feet to the lot line.
- (7) Donation Bins. Bins designed to solicit donations shall be allowed in any non-residential use as an accessory structure, subject to the following standards:
  - (a) Donations bins shall be limited to one (1) per tenant space.
  - (b) No illumination shall be used to draw attention to any donation bin.
  - (c) Donation bins shall not encroach into any required setbacks, public right of ways, or required landscape areas.
  - (d) All donation bins shall be securely attached to the ground to prevent tipping hazard.
  - (e) No items shall be stored outside of the donation bin.
- (8) Sale, Garage or Yard. This type of sale shall include garage sale, yard sale, auctions or similar activities. They shall be permitted as an accessory use to residentially zoned properties and residential uses subject to the following standards:
  - (a) Residents are permitted to conduct a maximum of four (4) sales per calendar year.
  - (b) Sales are not permitted to be more than four (4) consecutive days.
  - (c) Sales are permitted between the hours of 8:00am and 6:00pm on the designated sale day.
  - (d) Temporary signs advertising the sale are allowed but must be removed within 24 hours after the sale ends.
  - (e) Signs shall not obstruct public pathways or roadways and shall comply with sign ordinances in the district where the sale is located.
  - (f) Sales must be conducted on the resident's property and not extend onto public sidewalks or streets.
  - (g) The property owner is responsible for maintaining the cleanliness and orderliness of the sale area.

- (h) No loudspeakers or amplified music are allowed.
- (9) Prohibited Accessory Buildings, Structures and Uses: In residential zoning districts, transient (shipping) containers are not permitted as an accessory structure or building. In residential zoning districts, no mobile home, tank, junk object, salvage materials, trailer, vehicle, or similar item shall be utilized as an accessory building or storage structure; provided, however, the above requirements shall not be applicable to:
  - (a) Temporary offices, tool sheds or similar temporary storage structures, used pursuant to permitted construction or approved as part of a special land use.
  - (b) Underground storage tanks accessory to permitted use. Said tanks, including the operation of same, shall meet all State and Federal permitting and monitoring requirements.
  - (c) Underground tanks or piping required as part of a State or Federal remediation project.
  - (d) Storage/shipping containers, subject to the following restrictions:
    - i. Storage / shipping containers shall be allowed as temporary use for a period not to exceed fourteen (14) days, unless approved by the zoning administrator for additional time.
    - ii. Such containers shall only be for the use of the person utilizing the storage/shipping container for moving goods and materials.
  - (e) Portable toilets, subject to the following restrictions:
    - i. Portable toilets may be utilized during construction projects or temporary events at the property.
    - ii. Portable toilets shall be removed within seven (7) days of the construction project's completion or abandonment or after the event.
    - iii. Portable toilets are permitted for municipal parks, events and, activities.
- (10) Temporary structures. Temporary structure(s) for construction, assembly, outdoor gathering area, or retail sales area shall meet the following requirements:
  - (a) Shall not be placed in a corner clearance area as determined by § 1.1107 (B).
  - (b) Shall be securely anchored to the ground.
  - (c) Shall not be permitted for greater than thirty (30) days after installation, except construction trailers shall be removed within thirty (30) days after the completion or abandonment of the construction.
  - (d) Shall not be placed in a required fire lane, fire apparatus access road or limit fire department access to a structure on the same property or adjacent property.
  - (e) Shall not be used as a dwelling unit.
  - (f) Shall not be permitted if it has an unreasonable detrimental effect or will be a nuisance upon adjacent property, based upon findings of the Zoning Administrator regarding the noise, light, odor, vibration, or other off-site nuisance impacts that are generated by the proposed structure. At the discretion of the Zoning Administrator, structures may be referred to the Planning Commission for an interpretation regarding the nuisance impact of such structures.
  - (g) Shall not be permitted if the access to the area constitutes a traffic hazard due to ingress or egress.
  - (h) Shall provide off-street parking based on the use in table in § 1.0902.
  - (i) Structure must meet applicable building, electrical, mechanical, plumbing, fire prevention codes and fire safety requirements.
  - (j) Membrane structures shall be properly labeled with the following:
    - i. Size of the structure.
    - ii. Type of fabric or material indicating flame retardant information.
  - (k) Provide an affidavit from the owner to attest to the following:
    - i. Name and address of the owners of the tent.

- ii. Date the fabric was last treated with flame retardant solution.
  - iii. Trade name or kind of chemical used in the treatment.
  - iv. Name of testing agency and test standard by which the fabric was tested.
  - v. Name of the person or firm that treated the material.
- (11) Temporary structures less than 400 square feet are exempted from the requirements above and no permit is required, if they meet all conditions listed below:
  - (a) Shall be removed within seven (7) days of being installed.
  - (b) Shall not be located in a corner clearance area as determined by § 1.1107.
  - (c) Shall not have unreasonable detrimental effect or be a nuisance upon adjacent property, based upon findings of the Zoning Administrator that the structure does not generate excessive noise, light, odor, vibration, or other off-site nuisance impacts. At the discretion of the Zoning Administrator, structures may be referred to the Zoning Board of Appeals for an interpretation regarding the nuisance impact of such structures.
- (B) *Accessory building or accessory structures in a residential district.* In addition to the requirements of subsection (A) of this section, the following restrictions shall apply to accessory buildings or accessory structures in residential districts.
  - (1) Accessory buildings or accessory structures shall not exceed 14 feet in height with the exception of satellite systems, antenna systems, solar panels, wind generators or similar structures. If these structures are installed as a stand-alone structure, they shall not exceed 20 feet in height. If these structures are installed atop a building or structure, they shall not exceed the maximum height as per § 1.0501.—Table – Schedule of Regulations.
  - (2) A private garage or a portion thereof may be rented or leased for not more than two motor vehicles of the noncommercial type, to persons not residing in the dwelling on the lot.
  - (3) The total square footage of all accessory buildings shall not exceed the square footage of the ground or first floor area of the principal building including an attached garage with a foundation and roof.
  - (4) When an accessory building in any residential district is intended for other uses than the storage of private motor vehicles, the uses proposed for the accessory building must be compatible with the uses permitted within the subject district.
  - (5) Accessory buildings exceeding 200 square feet must be provided with exterior finish materials similar to the principal building on the lot. Examples include roofing and siding materials. These items shall be of the same or similar, compatible colors to the principal building. An alternate roofing or siding material may be substituted if the color(s) is compatible with the principal building. They shall be built with architecture and materials that reasonably compliment the architecture and materials of the dwelling.
  - (6) Canopy and tarp like structures are not permitted unless used as outdoor furniture, unless such structures are permitted as temporary structures under § 1.1105(A)(10). These items may be used from the months of April through October if maintained in good condition and used in the manner they were designed.
  - (7) Dog houses shall not exceed six feet in height and 20 square feet in area.
  - (8) There shall be no more than two accessory buildings on any one parcel excluding playhouses, dog houses, chicken coops not exceeding 30 square feet, pergolas or gazebos not exceeding 150 square feet, or buildings of similar uses.
  - (9) If a lot area exceeds 125 percent of the minimum lot size required in the district, a property owner may request consideration from the planning commission for additional accessory building square footage greater than what this zoning ordinance allows, subject to the following conditions:
    - (a) The request and review by the planning commission shall follow the requirements of § 1.0602 of this zoning ordinance.
    - (b) The maximum lot coverage for accessory structures shall not exceed ten percent of the total lot area.
    - (c) All other standards pertaining to accessory structures, as outlined in this section, shall apply unless approved by the planning commission.
  - (10) Chicken coops shall not exceed eight (8) feet in height and sixty (60) square feet in area. Chicken coops shall be removed if a valid urban chicken permit as per section 10.65 of the City of Sturgis code of ordinances is maintained.

- (11) Storage/shipping containers shall be allowed as temporary use for a period not to exceed fourteen (14) days, unless approved by the zoning administrator for additional time. Such containers shall only be for the use of the person utilizing the storage/shipping container for moving goods and materials. At no time shall any container be placed as a permanent structure within a residential zoning district or residential use. Only one (1) container may be placed at any residentially zoned property or use at any time. The container shall not encroach on the City right of way, be placed in any required off street parking, or encroach on any corner clearance requirement.
- (12) Solar Energy Systems (Photovoltaic)
  - (a) Visibility and Glare: A solar energy system whether installed on the roof or ground shall be mounted or oriented so that concentrated solar glare will not be directed toward or onto nearby properties or right of ways at any time of the day.
  - (b) Support Structures for ground mount. Support structures shall be of as single, non-reflective matte finish.
  - (c) Ground mounted solar installations shall only be installed in the rear or side yard.
  - (d) The area of a ground mounted solar installation shall count towards the maximum area allowed for accessory buildings/structures with a principal use. To calculate the area, you will square off the area the solar energy system uses.
- (C) *Permitted Accessory Uses*
  - (1) Repair of vehicles in residential districts.
    - (a) A resident may repair vehicles of the resident on the property of the resident's dwelling unit; however, in no instance shall a resident repair the vehicles of other than a resident of the dwelling unit on said property and such repair shall be conducted in not to exceed seven consecutive days in any 30-day period.
  - (2) Accommodations for servants and/or caretakers;
  - (3) Outdoor swimming pools, hot tubs and saunas for the use of occupants of a residence, or their guests;
  - (4) Domestic or agricultural storage in a barn, shed, toolroom, or similar accessory building or other structure;
  - (5) A newsstand primarily for the convenience of the occupants of a building, which is located wholly within such building and has no exterior signs or displays;
  - (6) Storage of merchandise normally carried in stock in connection with a business or industrial use, unless such storage is excluded in the applicable district regulations;
  - (7) Storage of goods used in or produced by industrial uses or related activities, unless such storage is excluded in the applicable district regulations;
  - (8) Accessory off-street parking spaces, open or enclosed, subject to the accessory off-street parking regulations for the district in which the zoning lot is located;
  - (9) Offices of an industrial or commercial complex located on the site of the commercial or industrial complex;
  - (10) Accessory off-street loading, subject to the off-street loading regulations for the district in which the zoning lot is located;
  - (11) Accessory signs, subject to the sign regulations for the district in which the zoning lot is located;
  - (12) Common household gardening in a residential district when located only in the rear yard and/or non-required side yard areas. For purposes of this title, common household gardening shall include the growing of fruits and vegetables for consumption, solely by members of the family residing in the dwelling unit located on the same zoning lot;
  - (13) Solar panels, wind generators, television reception antenna and air conditioning units.
  - (14) Any structure or area designed and used specifically for the boarding or exercise of pet or pets (dogs, cats, rabbits, etc.), including but not limited to houses, pens, kennels, and dog/pet runs shall be considered as accessory structures.
  - (15) Other uses clearly incidental to a main use