

ACCESSORY STRUCTURE ZONING PERMIT

For Structures <256 sq. ft: **No fee, and no Building Permit required**

Structures >256 sq. ft.: **Fee and Building Permit required. (Garages require a Building Permit even if <256 sq. ft.)**

Project Address: _____ Zoning District: _____

Is the property located within the floodplain? Yes: No:

Is the property located in the Historic District: Yes: No: (If Yes, \$150 ARB review fee required)

Applicant Name: _____ Phone: _____

Address: _____ Email: _____

Property Owner Information (If different from applicant)

Name: _____ Phone: _____

Address: _____

The following information is required to be submitted with the application:

1. Plat, tax map, or sketch that shows:
 - a. Location of the proposed accessory structure.
 - b. The distance between the proposed structure and the side and rear property lines.
 - c. Location and dimensions, including height, of any structures currently on the property.

Brief description of work to be done and proposed use _____

Dimensions of structure: Width: _____ feet | Length: _____ feet | Height: _____ feet | **Total square footage:** _____

It is the applicant's responsibility to ensure that any accessory structure(s) proposed to be located within easements of any kind or around fire protection facilities, have the necessary authorization from the easement holder. If the City is the easement holder, the City Manager must authorize the proposed structure within the easement. The City shall not be responsible for damage to accessory structures that must be removed by an easement holder to access such easements or facilities.

This permit only grants permission under City Code §72-24 for an accessory structure on your property, based on information that you have provided. The City is not responsible for determining that you own the property on which the accessory structure will be placed, that you have all other permissions required to do so (for example, permission from anyone holding an easement on the property), or that you will not be interfering with utility lines. **All accessory structures shall conform to the applicable requirements of the City of Fredericksburg's Unified Development Ordinance**, which are on the reverse side of this application.

The undersigned owner/applicant does hereby agree and certify that the information given is true.

Applicant Signature: _____ Date: _____

Property Owner Signature: _____ Date: _____

For Completion by Community Planning & Building

Approved
 Disapproved

Comments: _____

Zoning Administrator _____ **Date** _____

Floodplain Administrator _____ **Date** _____

This decision can be appealed in accordance with City Code § 72-24.1. **Permit #:** _____

72-42.1 Purpose

This section authorizes the establishment of accessory uses that are incidental and customarily subordinate to principal uses. The purpose of this section is to allow a broad range of accessory uses, so long as such uses are located on the same site as the principal use, and so long as they comply with the standards set forth in this section in order to reduce potentially adverse impacts on surrounding lands.

72-42.2 General Standards and Limitations

- A. Compliance with requirements of this chapter. Except as otherwise specifically provided in this chapter, accessory uses are permitted for an in connection with any use that is allowed by right or by special use permit. All accessory uses and accessory structures shall conform to the applicable requirements of this chapter, including Article 72-3, Zoning Districts; Article 72-4, Use Standards; and Article 72-5, Development Standards. The provisions of this section establish additional standards and restrictions for particular accessory uses and structures.
- B. General standards. All accessory uses and accessory structures shall meet the following standards: (1) Directly serve the principal use or structure; (2) Be customarily accessory and clearly incidental and subordinate to the principal use and structure; (3) Not exceed the greater of 25% of the heated floor or buildable area of the principal use, except where otherwise allowed by this chapter. An in-ground pool is exempt from this requirement and is not counted in the total area of accessory uses or structures. [Amended 2-11-2020 by Ord. No. 20-02] (4) Be owned or operated by the same person as the principal use or structure; (5) Together with the principal use or structure, not violate the bulk, density, parking, landscaping, or open space standards of this chapter; and (6) Not constitute a combination use, which is the combination of two principal uses (combination uses will not meet the above standards in terms of being subordinate or providing service to the principal use). (7) No accessory use shall be located on a lot prior to development of an associated principal use. (8) An accessory use or structure may be approved in conjunction with or subsequent to approval of the principal use or structure.

72-42.3 Location of accessory uses or structures. [Amended 1-10-2017 by Ord. No. 16-28]

- A. Compliance with requirements of this chapter. Except as otherwise specifically provided in this chapter, accessory uses are permitted for an in connection with any use that is allowed by right or by special use permit. All accessory uses and accessory structures shall conform to the applicable requirements of this chapter, including Article 72-3, Zoning Districts; Article 72-4, Use Standards; and Article 72-5, Development Standards. The provisions of this section establish additional standards and restrictions for particular accessory uses and structures.
- B. No accessory structure except a fence shall be located in any front yard. No accessory structure requiring a building permit shall be closer to a front lot line than the principal structure.
- C. No accessory use or structure shall be closer than five feet to a side or rear lot line, except that if the principal structure has a setback of less than five feet, then the setback of an accessory structure may be the same as exists for the principal structure. No accessory use or structure requiring a building permit within the R-2, R4, or R-8 zoning districts shall be closer than five feet to the principal structure. [Amended 2-11-2020 by Ord. No. 20-02]
- D. No accessory structure shall be located within any platted or recorded easement or over any known utility unless written authorization is provided from the easement holder or the City, as appropriate.
- E. An accessory structure may be located within a secondary front yard of a through lot, provided: (1) The lot is zoned with a nonresidential, mixed-use, or planned development district designation; (2) The lot across the street from the secondary front yard has a nonresidential, mixed-use, or planned development district designation; (3) The accessory structure does not exceed 12 feet in height, or one story, whichever is less; (4) The accessory structure setback is at least five feet from the secondary front lot line; and (5) The area between the accessory structure and adjacent street includes landscaping that is capable of screening the structure when it is mature.

72-42.4 Maximum height. [Amended 2-11-2020 by Ord. No. 20-02]

No accessory structure shall exceed 25 feet in height, or 12 feet in height if located in a side or rear yard.

72-34.3 Floodplain Requirements

The Floodplain Administrator shall consider the impacts of the following factors:

- (a) The Comprehensive Plan.
- (b) The type of proposed structures or uses.
- (c) The location of the proposed structures or uses.
- (d) Flood frequency.

- (e) The nature of flooding and historical flood impacts.
- (f) Access to the site for the proposed land use.
- (g) The nature and extent of proposed fill.
- (h) The impact of the proposal on the floodplain.
- (i) The potential increase in flood damage and risk of human life.

The Floodplain Administrator may require additional information from an applicant, including, but not limited to, an engineering study of the floodplain affected by the application.