

**SUBJECT:** Proposed text amendment for §1421-01 Accessory Residential Structures and §1425-35 Access Drive and Maneuvering Aisles.

**PURPOSE:**

To obtain approval from the City Planning Commission (CPC) on text amendments to §1425-35 Access Drive and Maneuvering Aisles and §1421-01 Accessory residential Structures related to garage doors facing an alley.

**PROPOSED TEXT AMENDMENT:**

**§ 1421-01. Accessory Residential Structures.**

Structures ancillary to a principal structure are considered accessory structures. This section establishes regulations for residential accessory structures. All accessory structures must be located, developed and operated in compliance with the following:

- (a) **Location.** Accessory structures, are not permitted in a front yard or a side yard except for fences and walls, flagpoles, lamp posts, arbors, trellis, birdbaths, decorative fountains or other similar structures as determined appropriate by the Director of Buildings and Inspections. (\*revised 7/22/05 by Ordinance #246-2005)
- (b) **Minimum Distance from Principal Structure:** One foot. Accessory structures, other than fences and walls, within one foot of the principal structure are considered part of the principal structure.
- (c) **Maximum Size:** 800 square feet for all structures other than fences and walls.
- (d) **Maximum Number of Accessory Buildings:** Two.
- (e) **Maximum Height:** 15 feet.
- (f) **Setbacks.** A minimum three-foot rear yard setback and three-foot side yard setback is required except that any outdoor enclosure for pets shall be no less than 20 feet from all property lines. ~~The setback for garage doors facing an alley is 20 feet from the alley centerline in order to provide an adequate turning radius.~~ (\*revised 7/22/05 by Ordinance #246-2005)

**§ 1425-35. Access Drive and Maneuvering Aisles.**

Access drives for parking purposes are permitted only in connection with uses permitted, except for access drives to restricted parking lots allowed by the Director of Buildings and Inspections in connection with uses in more restricted districts.

- (g) **Parking Access.** An access drive connecting the required parking spaces to a street must be provided either on the same premises as the principal

building or in the form of a recorded easement. Where provided on the same premises as the principal building, the access drives must have a minimum width of eight feet and a maximum aggregate width of 20 feet. Where provided in the form of a recorded easement, the access drive must have a minimum width of eight feet, except where the access drive serves more than two properties in which case the access drive must be 16 feet.

- (h) **Maneuvering Aisles.** Maneuvering aisles and driveways may serve both required parking spaces and loading spaces if they meet the requirements specified in §1425-19 and § 1425-25 for both parking and loading facilities.
- (i) **Requirement for Wider Driveway.** The City Engineer may require a wider driveway and driveway opening for a development.
- (j) **Driveway Visibility.** Visibility from a driveway may not be blocked between a height of three feet and seven feet for a depth of five feet from the street property line and five feet from the edge of the driveway or at the nearest property line intersecting the street property line, whichever is less. Refer to Figure 1425-35.
- (k) [Garage Doors Facing an Alley. Any garage door facing an alley shall provide an adequate turning radius.](#)

**JUSTIFICATION:**

The setback requirement in §1421-01(f) is not consistent for detached garages and attached garages. Attached garages are not considered accessory structures according to the definition of “accessory structures”. Therefore, an attached garage could be setback 0 feet from the property line in certain districts. This amendment removes the requirement from the Accessory Structures section of the Zoning Code and places it in the Parking and Loading Regulations section of the Code.

**PUBLIC STAFF CONFERENCE:**

The Planning Division staff held a public conference on this Zoning Text Amendment on Tuesday, August 14, 2007. Gary Wollenweber of Hyde Park, who participates on the Zoning Text Amendment Committee, stated that he dislikes the word “adequate.” He believes the word is too vague and that there should be an actual dimension replacing the word “adequate.” The Zoning Text Amendment Committee was aware of this situation when discussing this specific text amendment and decided to add the word “adequate” in this section for the purpose of allowing flexibility. The Director of Buildings and Inspections would then make the interpretation from there.

**RECOMMENDATION:**

The Department of Community Development and Planning staff recommends that the City Planning Commission approve the requested text amendment.

**APPROVED:**

---

Margaret A. Wuerstle, AICP, Chief Planner  
Department of Community Development & Planning

7/12/07  
Amendment Committee