

14-1-060. Accessory Buildings.

1. In General

- A. All detached buildings, structures, or satellite earth stations must be located behind the front wall plane of the principal structure.
- B. All detached buildings or structures must comply with any height restrictions found in the applicable zone where they are located. The combined square footage of all detached accessory buildings, structures, and satellite earth stations shall not exceed 500 square feet, or ten percent (10%) of the total lot area, whichever is greater.
- C. Detached sheds or similar structures two hundred (200) square feet or less, may be built to property line. The maximum height of such structure shall not exceed twelve (12) feet from the ground to the peak of the structure and the structure shall not drain storm water onto the neighboring properties. Any owner, or successor in interest, who constructs such an accessory structure on a public utility easement shall be responsible for all costs associated with removing and/or replacing such structure in the event public utilities need to be worked on within the public utility easement.
- D. All detached buildings or structures over two hundred (200) square feet in size and not exceeding sixteen (16) feet in height shall maintain a five foot setback from the side and rear yards. On corner lots, all property lines abutting a street shall be considered a front yard and shall observe front yard setbacks. All detached structures over two hundred (200) square feet in size and between sixteen (16) and twenty (20) feet in height shall maintain a ten foot setback from the side and rear yards. All detached structures over two hundred (200) square feet in size and over twenty (20) feet in height shall be setback from all side and rear yards ten(ten) feet, plus one additional foot for each additional foot in height over twenty (20) feet, to a maximum height of twenty-five (25) feet. Height shall be measured from ground level to the peak of the building. Any owner, or successor in interest, who constructs such an accessory structure on a public utility easement shall be responsible for all costs associated with removing and/or replacing such structure in the event public utilities need to be worked on within the public utility easement.
- E. If any accessory building must be removed, relocated, or otherwise modified in any manner in order to access public utilities, the property owner shall bear the full expense of such removal, relocation, or modification, together with all costs of restoration.
- F. All detached structures which have open sides shall obtain a building permit, if over 200 square feet in size, and shall maintain a two foot setback from the side and rear yards. The maximum height, of any portion of the building, shall be sixteen (16) feet from ground level to the peak of the building. Any owner, or successor in interest, who constructs such an accessory structure on a public utility easement shall be responsible for all costs associated with removing and/or replacing such structure in the event

public utilities need to be worked on within the public utility easement.
(ordinance#102120)

II. On a Historic Site.

- A. The Salem City Planning and Zoning Commission may approve a variance to the accessory building requirements of this title for Historic Structures and/or sites when the following standards are met:
1. A public hearing will be held by the Planning and Zoning Commission, with a minimum ten days notice to each adjoining property owner, plus posting on the City web page;
 2. The owner of the subject building/site demonstrates through appropriate documentation that the building/site is a “historic site or building”;
 3. A variance from zoning standards/requirements is necessary for the enhancement, preservation, rehabilitation, restoration, reconstruction, or maintenance of the site/structure;
 4. Design and development standards for the site and related structures are adopted which ensure that the historic or cultural significance and character of the subject site and/or structure is perpetuated and adherence to said standards are made as a condition of the permit;
 5. The variance granted will not create significant, unmitigated adverse impacts;
 6. No adjacent land owners voice any opposition at the public hearing held to consider the variance(s) proposed;
 7. The project associated with the subject site has been reviewed and approved, where applicable, pursuant to the National Historic Register and the Department of the Interior (documentation provided to the city by the owner/developer).
- B. The City Council shall act as the appeal authority for any appeal from the decision of the Planning and Zoning Commission concerning a historic structure/site variance. The applicant or any adjoining landowner may file an appeal by submitting a written notice of appeal to the City Recorder within fifteen (15) days of the Planning and Zoning Commission decision. The appeal authority shall hear the appeal within forty-five (45) days of receipt of the notice of appeal and act upon the appeal within thirty (30) days of the hearing.