



# City of Waverly

Building & Zoning Department

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## Accessory Structures

All construction must comply with the following codes:

- 2018 International Residential Code
- State of Nebraska Electrical Code
- Waverly Municipal Code

Accessory structures are subject to all site development regulations of its zoning district, except as provided below: *(Amended by Ord. 02-07, 3-4-02; Ord. 04-02, 4-19-04; Ord. 04-10, 9-7-04; Ord. 11-06, 4-5-11; Ord. 11-13, 8-2-11)*

- 1) **Side Yards:** An accessory structure may be located a minimum of five feet from the side lot line of the property if it is located between the rear building line of the principal building and the rear property line.
- 2) **Front Yards:** No accessory structure may be located between the front building line of the principal building and the front property line.
- 3) **Rear Yard:** The minimum rear yard setback for accessory structures shall be 5 feet. This minimum rear yard setback shall be increased to 15 feet if the accessory structure is a garage with a vehicular entrance door that is directly oriented toward an alley. Double-frontage lots shall require front-yard setbacks along both street frontages as set forth in Table 4-3. Easements may be incorporated into these required setbacks. No accessory structure shall be located within any easement or right-of-way along the rear property line.
- 4) **Maximum Size:** The number of accessory structures for a residential zoned district shall be limited to no more than two accessory structures per residence, except for lots one-half acre or more in which case up to three accessory structures per residence may be permitted. The maximum total floor space of all attached and detached garages and storage buildings shall not exceed the smaller of 2000 square feet or the square footage contained in the footprint of the principal structure. The maximum building coverage for all structures on a residential lot shall not exceed the limits specified in Table 4-3. All accessory structures on a site, taken together, must comply with the building coverage requirements for the zoning district and shall not occupy more than 30% of any required rear yard except for irregular size lots that shall comply with the maximum building coverage for the specific zoning.
- 5) **Height:** The height of an accessory structure shall not exceed the height of the principal structure on the lot. Any accessory structures located within 15' of the property line shall have a maximum height of 15', if placed more than 15' away from any side or rear property line, the structure can have a maximum height of 20'. The maximum height of any accessory structure shall not exceed 20 feet.

- 6) **Permanent Foundations:** All accessory structures shall be built with a permanent foundation system that will keep the structure securely fastened in-place. Permanent Foundations shall be constructed of four-inch minimum thickness concrete slab with an area the same as the structure's footprint, or continuous perimeter support directly below the structure comprised of concrete or wood rated for ground contact. The depth of the perimeter support shall be a minimum of six inches below the finished grade and shall continuously support the accessory structure. Either means of support shall provide anchors for the structure by means of code approved methods. This shall only apply to a single-story structure, with no floor or ceiling load, less than 400 square feet. Any accessory structure not built on a permanent foundation is considered a temporary structure, and is not allowed.
- 7) **Footings:** Footings that extend below the frost line, (36" below grade), are required on all accessory structures except those with a floor area of less than 400 SF.
- 8) **Separation from Other Buildings:** No accessory structure shall be placed within ten feet of any other building on its own property or any adjacent properties.
- 9) **Attached Accessory Buildings:** Any accessory structure physically attached to the principal building shall be considered part of the principal building and subject to the development regulations of its zoning district.
- 10) **Effect on Adjacent Properties:** If an adjacent lot is built upon, the accessory structure must be entirely to the rear of the line of any principal building on such adjacent lot. No accessory building shall damage adjacent property by obstructing views, inhibiting solar access, or hindering ventilation.
- 11) **Hazards:** Any accessory use which creates a potential fire hazard shall be located a minimum of 10 feet from any residential structure. Such uses include but are not limited to detached fireplaces, barbecue ovens, or storage of flammable materials.
- 12) **Accessory Structure:** No accessory building shall be built upon any lot until construction of the principal building has begun.
- 13) **Appearance:** The exterior appearance of all accessory structures shall architecturally harmonious with the main residential structure and consistent with the design, scale, and appearance of the primary structure. Materials that are used to construct the accessory structure shall be exterior grade wood or better of similar appearance and durability to that of the principal structure.
- 14) **Carports:** A carport is a covered structure used to offer limited protection to vehicles, primarily cars, from the elements. The structure can either be free standing or attached to a wall. Carports that are not architecturally connected to the principal residence by similar appearance and materials are prohibited. This includes but is not limited to metal framed structures with metal roofs, post and beam structures with a low slope roof, or a low slope roof attached to another structure or between structures.
- 15) **Garage Setbacks:** Any garage that fronts on a public street must be set back at least 25 feet from such street, regardless of the setback requirement within the zoning district. This shall not be interpreted to waive a larger required minimum setback required by the zoning district.

**Footings:**

Before digging the footings, call Diggers Hotline 1-800-331-5666 for buried utility locations. Footings shall be a minimum of 36" below finished grade to ensure against frost movement and damage.

**Type of Wood:**

All wood exposed to the weather elements, directly in contact with the ground or within 18" of the ground, or in contact with concrete shall be pressure treated (ACQ) lumber or a naturally rot resistant wood (Cedar, redwood, etc.)

**Submittal Documents Required:**

- Site Plan – A site plan showing the dimensions of proposed structure and its relationship to existing structures and the distance to the property lines of the lot.
- Building plan – A building plan that identifies support post spacing, connection details, footing details, size of joist, stair and guardrail details.

**Inspections Required:**

- Footing Inspection - Once the footings are dug and before concrete is poured
- Rough-In inspection- Once all framing is completed, any plumbing, electrical, and HVAC equipment is roughed in.
- Insulation Inspection- Once insulation has been placed in walls if applicable.
- Final Inspection - After completion of the entire structure.

Please allow a 24-hour notice when calling for an inspection. To obtain a building permit or schedule an inspection, contact the City of Waverly at (402) 786-2312

**This informational sheet is a summary guideline and is not conclusive of all codes and requirements.**