

**GREATER BEMIDJI AREA JOINT PLANNING BOARD  
BELTRAMI COUNTY, MINNESOTA  
ORDINANCE NO. 2020-04**

**AN ORDINANCE REGARDING ACCESSORY USES AND STRUCTURES**

**THE GREATER BEMIDJI AREA JOINT PLANNING BOARD ORDAINS:**

**Section I.** Section 109 of the Greater Bemidji Area Zoning and Subdivision Ordinance is hereby amended by adding the following definitions:

**ACCESSORY USE OR STRUCTURE:** A use or structure secondary in use, area or purpose to the principal use or structure on the same lot and serving a purpose naturally and normally incidental to the principal use or structure. This general definition does not include those accessory uses and structures that are separately defined in this Ordinance. Accessory structures include but not limited to decks, stairways, carports, sheds, detached garages, barns, gazebos, swimming pools, and similar structures.

**Section II.** Section 601 of the Greater Bemidji Area Zoning and Subdivision Ordinance is hereby amended by deleting it in its entirety and replacing it with the following:

**SECTION 601: ACCESSORY USES AND STRUCTURES**

Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized, with the issuance of a Building/Land Use Permit, except as prohibited specifically or by necessary implication in this or any other ordinance, provided that:

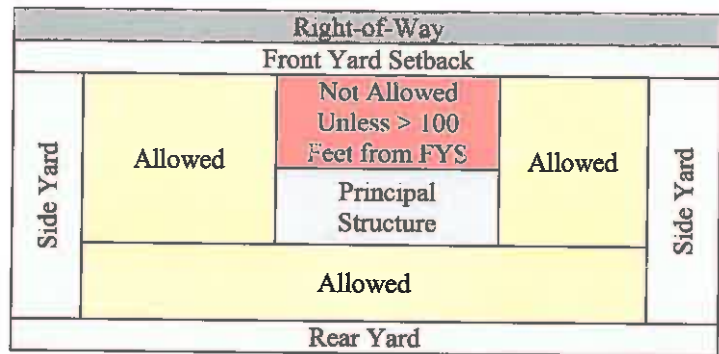
- A. All accessory buildings and structures, including but not limited to decks, stairways, handicapped access, carports and breezeways, attached to the principal building on a lot shall be made structurally a part thereof and shall comply in all respects with the requirements of the Ordinance applicable to the principal building.
- B. All detached accessory buildings shall comply with all of the requirements applicable to the principal structure and maintain a minimum of ten (10) feet between all structures.
- C. No accessory building or structure shall be constructed, altered, or moved to any location within ten (10) feet of the principal building unless the structure is made an integral part of the principal building.
- D. In the R-1 through R-6 Districts, the following maximum accessory structure size standards shall apply:

<u>R1, R2 &amp; R3</u>		<u>R-4, R-5 &amp; R-6</u>
<b>Lot Acres</b>	<b>Accessory Structure Size</b>	1,200 Sq. Ft. Max.
Under 1.0	1,200 Sq. Ft. Max.	
Over 1.0	No Maximum	

No maximum accessory structure size for lots larger than one (1) acres in size, as long as impervious surface coverage isn't exceeded in the applicable zoning district. This standard shall only apply in R-1, R-2 and R-3 zoning districts.

- E. No more than one accessory building (storage building) in excess of two hundred (200) square feet of floor area shall be allowed in the R-2, R-3, R-4, R-5 and R-6 districts except where the parcel is larger than one (1) acre.
- F. Accessory structures shall not exceed twenty-five (25) feet in height, and side walls may not exceed twelve (12) feet in height, except that accessory structures on parcels containing one (1) acre or more in the R-1, R-2, & R-3 Districts shall not exceed thirty (30) feet in height, and side walls may not exceed sixteen (16) feet in height.

- G. All detached accessory buildings or structures shall be located in the side or rear yards and shall not be placed directly between the front yard setback and principle structure. If the principle structure is set more than one hundred (100) feet from the front yard setback, then the accessory building may be placed directly between the front yard setback and principle structure. All such structures shall comply with all yard setback requirements applicable to the structures located within the zoning district.



- H. Accessory structures one thousand and six hundred (1,600) square feet or more shall be required to have double the minimum rear and side yard setback and accessory structures three thousand (3,000) square feet or more shall be required triple the minimum rear and side yard setback.
- I. Structures, with a floor area two hundred (200) square feet or less are exempt from the Building/Land Use Permit requirement, but they do count towards the maximum amount of accessory square footage allowed, and must meet all other underlying zoning requirements (i.e., setbacks, impervious surface total, etc.) per parcel.
- J. Accessory structures shall not be constructed or occupied on any lot in the R-4 through R-6 zones prior to time of construction of the principal structure to which it is an accessory.
- K. Accessory structures may be constructed on lots, not containing the principal structure in the R-3 through R-6 districts on the opposite side of the street or on an adjacent parcel. The accessory structure parcel shall be under the same ownership as the primary structure parcel.
- L. The structure shall not be designed or used for human habitation and shall not contain sewage treatment facilities, unless the following conditions are met:

- a. SSTS is a compliant system in conformity with [Article VIII](#) of this Ordinance

**Section III. Effective Date.** This ordinance shall become effective upon its passage and the first day of publication.

Adopted this 9<sup>th</sup> day of September, 2020.

**Ayes:**

**Nays:**

**Absent:**

**Joint Planning Commission Public Hearing & Recommendations:**

**Joint Planning Board Meeting:**

**ATTEST:**

**BY THE GREATER BEMIDJI AREA  
JOINT PLANNING BOARD:**

  
\_\_\_\_\_  
Casey Mai, Planning Director

  
\_\_\_\_\_  
Michael Meehlhause, Chairperson

Subscribed and sworn to before me  
this 14 th day of September, 2020.

  
\_\_\_\_\_  
Notary Public

