

Issue: Do the same standards for accessory uses in the RSF zone district apply to other zone districts which allow single-family residential uses (RE, RSF, RMF, RMF-T, MHP, MHS, MHC, OMI, PD, CR, NBR and MU)?

Background: On August 26, 2003, the Board of County Commissioners (BCC) adopted ordinance No. 2003-061 which, in part, set forth requirements regulating the location, size, building material and appearance of private garages and accessory structures within the Residential Single-family zone districts. On April 12, 2005 the BCC discussed the issue of “compatibility in appearance” of an accessory structure and principle residence.

Determination/Interpretation: The County zoning code is hierarchal (i.e. uses allowed in less intensive zones are allowed, such as RSF, are carried over to a more intensive zone, such as RMF) and as such the restrictions associated with the less intensive zone district, unless expressly prohibited or changed, will apply to the more intense zone district. In this instance the requirements for accessory structures found in the RSF zone district [Section 3-9-32(c)] will apply to accessory structures for single-family residents found in any zone that permits the use.