



CITY OF WINTER SPRINGS

1126 East State Road 434
Winter Springs, FL 32708
Phone: 407-327-1800 Fax: 407-327-4784
www.winterspringsfl.org

SEC. 6-84 ACCESSORY BUILDINGS CODE

Sec. 6-84. Accessory buildings.

(a) General. Accessory building means a detached, subordinate structure, the use of which is clearly incidental to, customarily associated with, and related to the principal structure or use of the land, and which is located on the same lot as the principal structure or use. Accessory buildings shall include storage buildings, toolhouses, private, detached garages, bathhouses (used in conjunction with swimming pool) and similar uses. No more than two (2) accessory buildings shall be allowed on any single lot. Accessory buildings shall not be used as living quarters, except that private, detached, private garages may be used as living quarters or office space where permitted in the Town Center and R-3 zoning districts and subject to all applicable permitting requirements for such use.

(b) Height and size restrictions. The maximum height of an accessory building shall be twelve (12) feet measured from ground level. The maximum size of any structure shall be two hundred forty (240) square feet. Notwithstanding the restrictions set forth in this subsection, detached, private garages may exceed twelve (12) feet in height without city commission approval provided the city manager or designee thereof determines that each criteria in subsection (f)(3) herein is satisfied. Further, detached, private garages may exceed two hundred forty (240) square feet, but in no case shall exceed one-third (1/3) of the air-conditioned square footage area of the principle structure.

(c) Location. All accessory buildings shall be located to the rear of the existing buildings line.

(d) Permits. A building permit shall be required before construction or placement can take place. No accessory building shall be permitted prior to construction of the principal building.

(e) Setback requirements. When an accessory building is attached to a principal structure by a breezeway, passage or otherwise, it shall become a part of the principal structure and shall be subject to the required setbacks of the principal structure.

(1) Corner setback--On all corner lots the minimum open sideyard setback shall be that of the principal building.

(2) Rear yard setback--Shall be a minimum of six (6) feet.

(3) Side yard setback--Shall be that of the lot on which the building is to be located.

(4) Easements--If an easement on the lot where the building is to be located is greater than that addressed above, then the easement size shall prevail. No building shall be constructed or placed on an easement.

(5) Detached, private garages which exceed twelve (12) feet in height or two hundred forty (240) square feet in area must meet the setbacks of the applicable zoning district for the principle structure.

(f) Upon application filed with the city, the city commission may vary the number, height, and size requirements set forth in this section or approve an accessory building on an adjacent lot by conditional use permit under the following conditions:

(1) The subject property has a residential rural future land use map designation under the city's comprehensive plan.

(2) The applicant submits for review and consideration a detailed architectural rendering of the proposed accessory building and a plot plan drawn to scale.

(3) The city commission finds that:

a. The proposed accessory building is compatible and harmonious with the principal structure and the surrounding land uses and structures;

b. The proposed accessory building will not adversely impact land use activities in the immediate vicinity;

c. The height of the proposed accessory building does not exceed the height of the principal structure; and

d. The accessory building shall meet the requirements of the applicable zoning district including setback and maximum lot coverage.

(4) An accessory building may be constructed on a lot adjacent to the lot on which the principal building is located under the following conditions:

a. The conditions set forth in subsections (1), (2), and (3) are satisfied.

b. A legal instrument reasonably acceptable to the city is recorded in the public records of Seminole County that provides that the principal building lot and the adjacent lot are unified under common ownership and that in the event said ownership is ever separated, the accessory building shall be removed or a principal building shall be constructed on the adjacent lot within one (1) year from the date the lots are separated.

(Code 1974, § 5-10; Ord. No. 460, § 1, 6-26-89; Ord. No. 2003-02, § 2, 4-28-03; Ord. No. 2008-05, § 2, 6-9-08)