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## **ACCESSORY USES AND STRUCTURES CODE COMPLIANCE GUIDELINES IN RESIDENTIAL DISTRICTS**

### DEFINITIONS:

**Accessory Building:** A building detached from a principal building on the same lot and customarily incidental to the principal building or use including but not limited to detached garages serving one dwelling unit, utility buildings, sheds, gazebos, and barns. Detached garages and parking decks serving more than one dwelling unit are considered principal buildings.

**Accessory Structure:** A structure which is on the same lot as the principal structure and the use of which is incidental to the use of the primary structure. (syn. Accessory facility).

**Accessory Use:** A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with such principal use.

**Portable Accessory Structure:** Any box-like storage container transported by truck or trailer to the desired location for drop-off with a storage capacity of more than 216 cubic feet that would normally be stored at an off-site location. Although these containers are often generically referred to by the trademarked brand name "PODS," this subsection applies to any brand of portable outdoor storage container meeting its specifications.

This definition does not include: 1) consumer fireworks retail sales stands licensed in accordance with O.C.G.A. title 25; 2) a contractor office trailer which is used in association with a land disturbance permit/site development permit approved by the Director; 3) semi-trailers or cargo trailers containing two or more tandem axles at the rear and which attaches to the tractor with a fifth wheel hitch; or 4) roll-off, open top dumpsters used for the collection and transport of solid waste, which are exempt under this subsection.

**Roofed Accessory Structure:** A small accessory building, such as a garage serving one dwelling unit, shed, gatehouse, gazebo, greenhouse, and similar accessory use, whether portable or not (except as provided for temporary storage containers), that are subordinate in use and size to the principal use. Excludes all garages except those serving one dwelling unit.

**Unroofed Accessory Structure:** An unroofed accessory structure such as, but not limited to, tennis courts, trampolines, playground equipment, fences, walls, walkways, flagpoles, retaining walls, gardens, decks and patios, fire pits, trellises, pergolas, clotheslines, amateur radio receive-only antennas under 75 feet in height, and similar uses not otherwise defined in this UDO.

## GENERAL:

- A. See 'Fences and Walls' code compliance guidelines for fencing and walls in the residential districts.
- B. See Sec. 206-8.24. Portable Accessory Structure (PAS) for regulations and permit requirements.
- B. The Allowed Use Table in Sec. 206-2 establishes permitted accessory uses by district, except as further restricted as specified in the FH Flood Hazard District. Use definitions and use standards for accessory uses are specified in Sec. 206.8.
  - 1. Permitted Use (P). Indicates a use is permitted in the respective district. The use is also subject to all other applicable requirements of this UDO.
  - 2. Limited Use (L). Indicates a use is permitted in the respective district, subject to a use standard found in the right-hand column of the use table. The use is also subject to all other applicable requirements of this UDO.
  - 3. Special Use (SP). Indicates a use may be permitted in the respective district only where approved by the City Council in accordance with Sec. 103-10. Special uses are subject to all other applicable requirements of this UDO, including any applicable use standards, except where the use standards are expressly modified by the City Council as part of the special use permit approval.
  - 4. Use Not Permitted. A "--" in a cell indicates that a use is not permitted in the respective district.
- C. Sec. 206-1.4. Accessory Uses Not Listed: An accessory use not specifically listed is prohibited unless the Director determines the accessory use:
  - 1. Is clearly incidental to and customarily found in connection with an allowed principal use;
  - 2. Is subordinate to and serving an allowed principal use;
  - 3. Is subordinate in area, extent, and purpose to the principal use served;
  - 4. Contributes to the comfort, convenience or needs of occupants, business or industry in the principal use served; and
  - 5. Is located on the same lot as the principal use served.

## 201-1.6. ACCESSORY USES and STRUCTURES – RESIDENTIAL DISTRICT

The following applies in residential and TC-R zoning districts.

- A. General Accessory Use and Structure Locations
  - 1. No accessory structure except driveways and individual mailboxes may be in a public right-of-way.
  - 2. Landscaping may not be in a public right-of-way of a City street unless approved by the Director.
  - 3. No accessory structure in a public right-of-way may create a sight hazard to the traveling public. See Sec. 201-1.8 (Intersection Visibility).
  - 4. Accessory uses and structures are only allowed in rear yards, except as shown in Table 201-1.6 or otherwise allowed in this UDO.
  - 5. Accessory uses and structures are subject to the additional buffer setback requirements of Sec. 201-1.9 (Buffer Setbacks), which apply even when a lesser setback is otherwise allowed by this subsection.
  - 6. When an accessory use or structure is allowed in a specific yard, it has no setback requirements, except as shown in Table 201-1.6, clause 5 above, or otherwise in this UDO.
- B. Accessory Use and Structure Setback Requirements. When shown in Table 201-1.6, accessory uses and structures must observe the following setback requirements adjacent to all lot lines, except when the required building setback is less than the following distances:
  - 1. Up to 100 square feet in area: min. 5-foot setback
  - 2. 101 to 300 square feet: min. 10-foot setback.

## ACCESSORY USES and STRUCTURES – RESIDENTIAL DISTRICT (continued):

3. 301 to 500 square feet: min. 15-foot setback.
  4. Over 500 square feet: min. 20-foot setback
- D. Driveways. No more than 35% of the front yard area may be used for driveways or authorized on-site parking (see E below).
- E. On-Site Parking.
1. No parked vehicle or any portion of a parked vehicle, including those in driveways, may be within the public right-of-way, except for authorized on-street parking.
  2. When parking is allowed in the front yard, no more than 35% of the front yard area may be used for parking or authorized driveways.
  3. When parking is allowed in the rear yard, no more than 20% of the rear yard area may be used for parking, and the parking must be screened from view of adjacent residential uses.

### ROOFED ACCESSORY STRUCTURES:

#### Sec. 206-8.26. Roofed Accessory Structures

- A. Use Standards. Where a roofed accessory structure is allowed as a limited use, it is subject to the following:
1. The maximum allowed cumulative total square footage of all accessory buildings is based on lot size as follows:
    - a. Lots under 10,500 SF.: 500 square feet in area, excluding any accessory dwelling unit.
    - b. Lots 10,501 SF. to 0.99 acre: 750 square feet in area, excluding any accessory dwelling unit.
    - c. Lots over 1 acre: an amount equal to 50% of the floor area of the principal structure, up to a maximum 1,000 square feet in area, excluding any accessory dwelling unit.
  2. No more than two roofed accessory structures are allowed on a single-family detached dwelling lot.
  3. Roofed accessory structures under 120 square feet in floor area may not exceed 10 feet in height in a residential district.
  4. Roofed accessory structures 120 square feet or more in floor area must abide by the following:
    - a. Exterior walls of roofed accessory that are accessory to all uses, except single-family detached dwellings, must be finished with brick, stone, cement-based siding, or with materials and colors similar to that of the principal building.
    - b. Exterior walls of roofed accessory that are accessory to single-family detached dwellings must be any material listed in sentence a above or factory finished powder-coated metal, except that pre-engineered metal buildings are not allowed.
    - c. Roofing materials and roofing colors must match that of the principal building.
    - d. Height may not exceed 20 feet in a residential district.
  5. The construction of any roofed accessory structure over 20 square feet in floor area requires a building permit. All permit applications must indicate the proposed use of the structure and must include a drawing that shows the exact location on the property with distance(s) from the adjacent lot line(s).
  6. The Director has the power to grant administrative variances to the requirements of clauses 1 through 5 above when the roofed accessory structure is accessory to a country club, golf course.

Sec. 201-1.3.C. Lot Coverage: The percentage of total lot area, excluding any streetscape easements provided in accordance with Sec. 401-4.2.A.3, that includes:

1. The horizontal area of the building footprint measured within the outside of the exterior walls of the ground floor of all principal buildings **and any roofed accessory buildings on the lot**; and
2. Any impervious parking areas, driveways, walkways, steps, terraces, uncovered patios and decks, swimming pools, and any similar features. The Director may establish rules for determining the extent to which partially pervious materials are exempt from lot coverage.

**Table 201-1.6. Allowed Locations of Residential District Accessory Uses and Structures**

Accessory Use or Structure A = Allowed in yard " - " = Not allowed in yard	Front Yard	Side Yard (street)	Side Yard (interior)	Rear Yard	Additional Setbacks Standards	Additional Standards
Basketball goal	A	A	A	A		
Canopy and covered entrance	A	A	A	A	See Sec. 201-1.6.C	
Covered mail kiosk	A	A	--	--	See Sec. 201-1.6.B	See Sec. 206-8.26
Decorative landscaping, such as steppingstones, fountains, birdbaths, birdhouses, light posts, statuary, and bridges	A	A	A	A		
Driveway	A	A	A	A	See Sec. 201-1.6.D	
Dumpster	--	--	A	A	See Sec. 201-1.6.B	See Sec. 206-8.10
Fence and wall (includes gate)	A	A	A	A		See Sec. 207-2.3
Flagpole	A	A	A	A		
Gatehouse	A	A	--	--		
Koi pond	A	A	A	A	See Sec. 201-1.6.B	See Sec. 206-8.28
Lamppost	A	A	--	--		
Mailbox	A	A	--	-		
Mechanical equipment	A	A	A	A	See Sec. 201-1.6.F	See Sec. 207-2.2
Modular office/classroom	--	--	A	A	See Sec. 201-1.6.B	See Sec. 206-8.17
On-site parking	A	A	A	A	See Sec. 201-1.6.G	See Sec. 206-8.18
Parking of business vehicles	See Sec. 206-8.21					
Parking of recreational vehicles	See Sec. 206-8.22					
Parking of watercraft	See Sec. 206-8.23					
Portable accessory structure (PAS)	A	A	A	A	See Sec. 201-1.6.B	See Sec. 206-8.24
Roofed accessory structure, except as shown in this table	--	--	A	A	See Sec. 201-1.6.B	See Sec. 206-8.26
Sidewalk	A	A	--	--		
Sign	A	A	--	--		See Sec. 207-6
Stormwater infrastructure	A	A	A	A	See Sec. 201-1.6.H	
Swimming pool, hot tub, spa	--	--	A	A	See Sec. 201-1.6.B	See Sec. 206-8.28
Vegetable garden under 100 sf. in combined area	A	A	A	A	See Sec. 201-1.6.B	
Vegetable garden 100 sf. or	--	--	A	A	See Sec.	

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more in combined area					<a href="#">201-1.6.B</a>	
Walkway	A	A	A	A		