



City of Van Alstyne

New Standards for Accessory Structures, Pools and Spas

Adopted February 13, 2024

Accessory Structures and Uses

(a) **Area regulations for accessory structures in residential and multifamily districts.**

(1) Size of yards:

- a. Front yard: Detached front accessory structures shall have a front yard not less than the main structure or as specified in the particular zoning district.
- b. Side yard
 - i. There shall be a side yard not less than three feet (3') from any side lot line, or alley right-of-way for any detached accessory structure provided that such structure is separated from the main structure by a minimum distance of ten feet (10').
 - ii. In the case of a detached accessory structure being closer than ten feet (10') to the main structure, the minimum side yard requirements for the main structure shall be required.
 - iii. Accessory structures adjacent to a side street shall have a side yard not less than 15 feet (15'). Garages located and arranged so as to be entered from the side yard shall have a minimum distance of 20 feet from the side lot line, alley right-of-way, or easement line.
 - iv. Garages arranged to be entered from the side yard, facing a public street, shall have a minimum distance equal to the required front yard for the main structure.
- c. Rear yard:
 - i. Detached accessory structures constructed a minimum of ten feet (10') from the main structure shall have a rear yard of a minimum of three feet (3') from any lot line or alley right-of-way, or easement line.
 - ii. Garages, or other accessory structures, located within the rear portion of a lot as heretofore described, constructed closer than ten feet (10') to the main structure, shall have a rear yard equivalent to the rear yard requirement for the main structure;
 - iii. Garages arranged so as to be entered by a motor vehicle from an alley or rear alley easement shall be set back from the rear yard or alley easement line a minimum distance of 20 feet (20')

- (2) Detached accessory structure yard requirements in the MF District shall be the same as the main structure unless approved by the Planning and Zoning Commission on a site plan for the multifamily development..

- (b) Additional standards for detached accessory structures and detached garages.
- (1) In no instance shall the height of an accessory structure or detached garage exceed the height of the primary dwelling.
 - (2) Where a detached accessory is greater than 160 sq. ft., the following standards shall apply:
 - a. Divided light windows are provided on at least two sides of the structure;
 - b. A minimum roof pitch of four (4) in twelve (12) is provided;
 - c. A minimum 20-foot side yard setback is provided.
 - (3) A specific use permit is required for either of the following instances:
 - a. An accessory structure that is greater in size than the primary dwelling. For the purpose of this subsection, the total size of the primary dwelling includes the size of an attached private garage;
 - b. The size of the accessory structure is greater than seven percent (7%) of the size of the lot area; or
 - c. The size of the accessory structure is greater than 4,000 square feet.

Swimming Pools and Spas

Swimming pools and spas. It is the purpose of the following provisions to recognize an outdoor swimming pool as a potentially attractive nuisance and to promote the safety and enjoyment of property rights by establishing rules and regulations governing the location and improvement of swimming pools whether privately, publicly, or commercially owned or operated.

- (1) No swimming pool or spa shall be constructed or used until a swimming pool or spa building permit has been issued. No building permit shall be issued unless the proposed sanitary facilities and water supply comply with applicable local and state health department regulations.
- (2) A swimming pool or spa may be constructed and operated when:
 - a. The swimming pool or spa is not located in any required front or side yard abutting a street;
 - b. A wall or fence, not less than six feet in height, with self-enclosing and self-latching gates at all entrances, completely encloses either the swimming pool or spa area or the surrounding yard area. Additional regulations regarding enclosing of swimming pools apply.
 - c. All lighting of the swimming pool or spa is shielded or directed to face away from adjoining residence. If lights are not individually shielded they shall be so placed, or the enclosing wall or fence shall be so designed, that direct rays from the lights shall not be visible from adjacent properties;
 - d. No broadcasting system is used for the purpose of advertising the operation of the swimming pool or spa or for the attraction of persons to the premises. This shall not prevent a public address system necessary or useful to the supervision of the swimming pool or spa and the safety of swimmers; and
 - e. The swimming pool or spa is located no closer than five feet (5') from any property line as measured from the water's edge.

- f. The swimming or spa is located no closer than three feet (3') from the foundation of the main structure as measured from the water's edge.
- g. The swimming pools or spa shall not be located within any easement or floodplain.
- h. There shall be a minimum 1:1 ratio distance requirement, being a minimum of one foot (1') of distance for every one foot (1') of pool depth, to a main structure foundation, including a patio if tied into the foundation of the main structure. Deviations to the 1:1 ratio requirement may be allowed upon receipt of engineer sealed plans.
- i. There shall be a minimum 1:1 ratio distance requirement, being a minimum of one foot (1') of distance for every one foot (1') of pool depth, to a retaining wall, four feet (4') or greater in height on the property. Deviations to the 1:1 ratio requirement may be allowed upon receipt of engineer sealed plans, but in no instance shall the distance be less than five feet (5') from a property line as measured from the water's edge.
- j. The outdoor equipment related the operation of a swimming pool or spa shall be located a minimum of three feet (3') from adjacent property lines and shall not be located within the front yard of a lot, within any easement or drainage swale.

Accessory Structure Location Criteria

Accessory Structure #1:

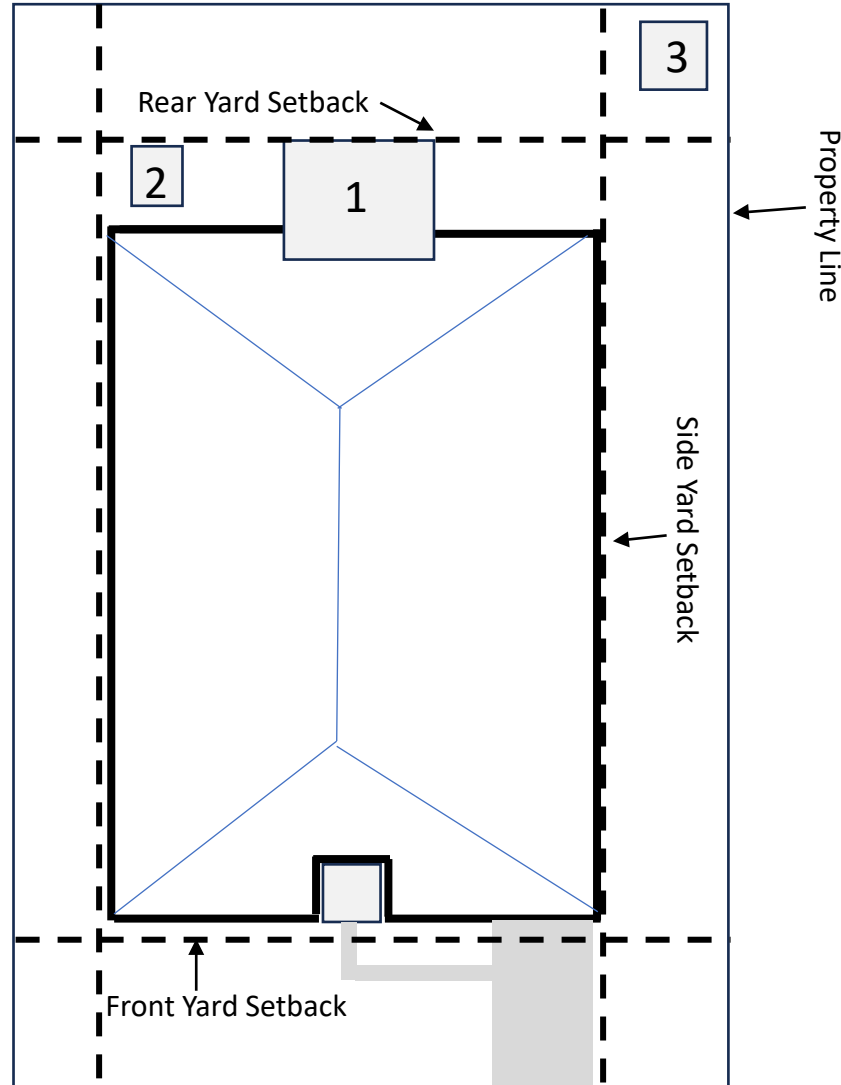
Addition attached to the home (patio cover, pergola) shall not be located past rear and side yard setbacks.

Attached Structure #2:

Structure detached from the home but located less than 10 feet from the home, shall not be located past rear and side yard setbacks.

Attached Structure #3:

Structure detached, located more than 10 feet from the home, may be located within rear yard setback but located a min. of 3 feet from rear property line. The structure shall not be located past the side yard setback.



Important Notes:

- The front, side, and rear yard setbacks vary by zoning districts. Please confirm the established setbacks for the subject property.
- Fire pits and detached outdoor fireplaces shall be located a minimum of 10 feet from the house.
- Lots have a maximum "lot coverage" percentage that limit how much of the lot can be covered by structures.