



Hardin County

Planning and Development Commission

Building Code Clarification Handout, #2008.003, January 2008, [Handout updated 05-01-08, Rev. 09-12-08; Rev. 3-30-10](#)
[ACCESSORY STRUCTURES ON RESIDENTIAL LOTS](#)

Page 1 of 3



Disclaimer: This is not a listing of all code sections involving building or utilities which involve this subject, but only the sections most often questioned. Refer to the *2007 Kentucky Residential Code Second Edition, Revised June 2009* book for information not listed in this handout and for other requirements of the building code.

There have been some code changes involving Accessory Structures which may be new to homeowners, builders, and suppliers in this area. This document addresses code requirements for accessory structures.

1. **Accessory Structures**, one-story detached accessory structures, provided the floor area ([as measured from outside wall to outside wall](#)) exceeds 120 SF, are required to have a building permit (*KRC R105.2*) and are subject to the following code requirements:
2. **Accessory Structure**. (*KRC R202 Definitions*). A structure not greater than 3,000 square feet in floor area, and not over two stories in height, the use of which is customarily accessory to and incidental to that of the dwelling(s) and which is located on the same lot. (*Note: This term describes structures commonly used as garages, carports, cabanas, storage sheds, playhouses, tool sheds and garden structures. The structures all contain uses that are incidental to the primary use, which is the dwelling unit, and the activities that take place in accessory structures occur as a result of the primary building. Their use is secondary or minor in importance to the primary residence.*) **In order to avoid having to build fire resistant rated exterior walls, rated for exposure to fire from both sides, locate the accessory structure no closer than five feet from any other structure on the same lot, and no closer than five (5') feet from a property line. (KRC Table R302.1 Exterior Walls).**
3. The accessory structure must comply with the building setback requirements from property lines as well as from utility and drainage easements as detailed in the [Development Guidance System, Zoning Ordinance, 2009 Hardin County Planning and Development Commission](#). When applying for the permit, the Owner will provide to this office the distance from all sides of the new structure to the nearest property lines. The size of the proposed structure. The size of the existing house on the same parcel. The distance of the proposed structure to any other structures on the same parcel. The permit clerk will assist the owner in determining the minimum setback distances at time of applying for the building permit. Structures cannot be located closer to the property lines or streets than the setback distances allow.
4. **Accessory Structures**. [[Development Guidance System, Zoning Ordinance 2009, Conditional Uses Within The Specified Zones. \(Sec. 16-5, Page 129.\)](#)] An accessory structure is a structure or use customarily incidental and subordinate to the principal structure and located on the same parcel with such principal structure. These standards apply when the accessory structure is developed prior to the start of construction of the principal structure on the property. This regulation does not apply to agricultural uses and related accessory structures.
 - 16-5.1 **Location**. An accessory structure is part of the principal structure when it is attached to the principal structure by a breezeway and shall comply with the applicable setbacks of the zone in which it is located.
 - 16-5.2 **Agriculture**. Accessory structures for agricultural uses shall comply with the building setback requirements for the principal structures of the zone in which it is located.
 - 16-5.3 **Distance**. The minimum distance between buildings shall be five (5) feet.
 - 16-5.4 **Size**. All accessory structures shall be subordinate in scale to the principal structure.
5. **Accessory Uses and Structures**. [[Development Guidance System, Zoning Ordinance 2009, Special Provisions, Accessory Uses and Structures. \(Sec. 17-3, Page 143\)](#)] This section does not apply to agricultural uses and related accessory structures (e.g., barns, stables).
 - 17-3.1. **Shall Follow Principal Use**.

ACCESSORY STRUCTURES ON RESIDENTIAL LOTS

No accessory use or structure may be developed until after the start of the construction of the principal use on the building site, and no accessory use or structure may be used unless the principal use or structure has been developed except after review and approval as a Conditional Use (Section 16, Pg.127).

17-3.2. Same Parcel

Except as otherwise specifically permitted elsewhere in the Zoning Ordinance, accessory uses and structures shall be located on the same parcel as the associated principal use.

17-3.3. Breezeway

When an accessory structure is attached to a principal building by a breezeway, roofed passage or similar structure, it shall be deemed to be part of the principal building and shall maintain the yard requirements of the principal building.

17-3.4 Minimum Distance Between Buildings.

The minimum distance between buildings shall be five (5) feet.

17-3.5 Subordinate in Scale

All accessory structures shall be subordinate in scale to the principal structure.

17-3.6 Structures over One Hundred Twenty (120) Square Feet

All accessory structures over one hundred twenty (120) square feet shall conform to the Kentucky Building Code Program (Section 13, Pg. 117).

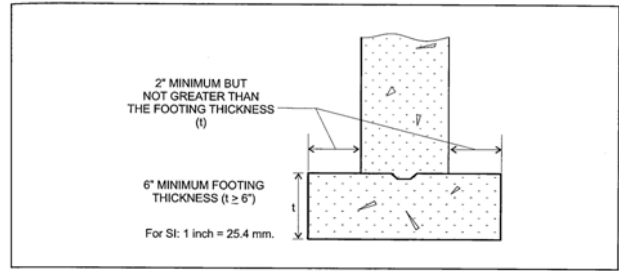
6. **An approved building permit is required to be obtained from this office before the accessory structure is placed, delivered, installed, set, constructed or built on the property.** (*KRC R105.1*). A permit is not valid until the fees prescribed by law have been paid. (*KRC R108.1*).
7. **Building inspections are required to be made on the property when a building permit is issued.** It is the duty of the permit holder to notify the building inspector when work is ready for inspection at the various stages for the footing, framing, and final inspection. It is the duty of the permit holder to provide access to and means for inspection of such work for the inspections. (*KRC R109.5*), & (*KRC R109.1*).
8. **A final inspection shall be made and approved in writing by the building inspector before the building is occupied or used for any purpose.** (*KRC R110.1*) Note: Occupancy Certificates are no longer issued for garages or accessory structures.
9. **The building must be built in compliance with the 2007 Kentucky Residential Code, Second Edition, Revised June 2009.**
10. **Exterior Walls.** (*KRC R302.1*) Construction, projections, openings and penetrations of exterior walls of dwellings and accessory buildings shall comply with Table R302.1. These provisions shall not apply to walls, projections, openings or penetrations in walls that are perpendicular to the line used to determine the fire separation distance. Projections beyond the exterior wall shall not extend more than 12 inches into the areas where openings are prohibited.
Exceptions:
 1. Detached tool sheds and storage sheds, playhouses and similar structures exempted from permits are not required to provide wall protection based on location on the lot. Projections beyond the exterior wall shall not extend over the lot line.
 2. Detached garages accessory to a dwelling located within 2 feet of a lot line are permitted to have roof eave projections not exceeding 4 inches.
 3. Foundation vents installed in compliance with this code are permitted.
11. **Exterior walls with a fire separation distance of 0 feet shall have not less than a one-hour fire resistive rating with exposure from both sides.** (Table R302.1) Projections located a minimum fire separation distance of 2 feet shall be constructed of fire resistant rated materials 1 Hour on the underside Projections located a minimum fire separation distance of 5 feet shall be constructed of not fire resistant rated materials. Projections of roof overhangs located a minimum fire separation distance of 4 feet shall be constructed of not fire resistant rated materials. Projections beyond the exterior wall shall not extend more than 12 inches into the areas where openings are prohibited. (Table R302.1)
12. **Frost protection (*KRC R403.1.4*)** Except where otherwise protected from frost, foundation walls, piers, and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:
 - a. Extended not less than the minimum frost-protected depths of the frost line specified in Table 403.1.4; [24" deep in Hardin Co. & Larue Co.]
 - b. Constructed in accordance with Section R403.1.4 and Figure R403.1.4 ;
 - c. Constructed in accordance with ASCE 32; or
 - d. Erected on solid rock.

Exceptions:

1. (**Frost**) Protection of freestanding accessory structures with an area of 600 square feet or less, of light-framed construction, with an eave height of 10 feet or less shall not be required.
2. (**Frost**) Protection of freestanding accessory structures with an area of 400 square feet or less, of other than light-framed construction, with an eave height of 10 feet or less shall not be required.
3. Decks not supported by a dwelling need not be provided with footings that extend below the frost line.

[Footings shall not bear on frozen soil unless the frozen condition is permanent.]

13. **Minimum Depth** (KRC R403.1.4) All exterior footings shall be placed at least 12 inches below the undisturbed ground surface, **unless structure is larger than 600 SF in size, and 24" minimum depth is then required.** Where applicable, the depth of footings shall also conform to Sections R403.1.4.1 through R403.1.4.2.
14. **Minimum Footing size for continuous footing:** An accessory building larger than 600 SF, is of light framed construction, with an eave height of 10 feet or less, the footing must be constructed to be 24" to the bottom of the footing below finish grade of ground. The footing must be 12" wide minimum by 6" thick minimum. (Table R403.1)
15. **Protection Against Decay.** (KRC R504.1.) Approved naturally durable or pressure preservative treated wood, placed within 18 inches from the ground, shall be used for the following members: 1. Horizontal members including girders, joists, and decking. 2. Vertical members including posts, poles, and columns when in ground or within 18 inches of ground. 3. Both horizontal and vertical members comprising the rest of the structure, when placed within 18 inches of the ground. (KRC R319.1)
16. **Quality Mark.** (KRC R502.1), (KRC R319.2) Lumber and plywood required to be pressure preservative treated shall bear the quality mark of an approved inspection agency that has been approved by an accreditation body that complies with the requirements of the American Lumber Standard Committee Treated Wood Program.
17. **Fasteners.** (KRC R319.3) Fasteners for pressure preservative treated wood shall be of hot-dipped galvanized steel, stainless steel, silicon bronze or copper. Exception: ½ inch diameter or greater steel bolts.
18. **Wood Grade.** (KRC R502.1) All load-bearing lumber shall be identified by the grade mark of a lumber grading or inspection agency which has been approved by an accreditation body that complies with DOC PS 20. *(Non-graded, rough-sawn lumber cut at local sawmills or by the homeowner is not approved).*
19. **Remove all vegetation and organic material below the accessory structure.** (KRC R408.5) Slope final grade of ground 6" drop within the first ten feet away from the structure. (KRC R401.3)
20. **Roof trusses.** (KRC R802.10.1) When using roof trusses, the trusses must be designed in accordance with accepted engineering practice. The design and manufacture of metal-plated-connected wood trusses shall comply with ANSI/TPI-1. The truss design drawings shall be prepared by a registered professional where required by the statutes of the jurisdiction in which the project is to be constructed in accordance with Section R106.1.
21. **Owner, builder, contractor or supplier on-site built roof trusses are not allowed.** The truss design drawings shall be prepared by a registered professional where required by the statutes of the jurisdiction in which the project is to be constructed in accordance with Section R106.1. (KRC R802.10.2 Design)



Footing Thickness and Projections

(KRC R105.2) Work exempt from permit. Permits shall not be required for the following. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, **provided the floor area, as measured from outside wall to outside wall, does not exceed 120 square feet.** (E.g. 10'w x 12'l = 120 sf). Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

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[BUILDING CODE CLARIFICATION HANDOUTS AVAILABLE LISTING, 03-30-10](#)

- #2008.001, CRAWLSPACE & BASEMENT REQUIREMENTS
- #2008.002, ENERGY EFFICIENCY REQUIREMENTS
- #2008.003, ACCESSORY STRUCTURES ON RESIDENTIAL LOTS
- #2008.004, DRYER VENT REQUIREMENTS
- #2008.005, FOOTING INSPECTION CHECKLIST
- #2008.006, DECK AND STAIR GUIDE
- #2008.007, WINDOWS & DOORS – SAFETY GLAZING
- #2008.008, EGRESS WINDOWS AND WINDOW WELLS
- #2008.009, 2007 TOP RESIDENTIAL CODE REQUIREMENTS (BOOKLET) (OUT-OF-PRINT)
- #2008.010, INSPECTION CHECKLIST
- #2008.011, RAMPS, LANDINGS, ETC. FOR THE PHYSICALLY CHALLENGED
- #2008.012, SWIMMING POOLS
- #2008.013, MANUFACTURED HOMES INSTALLATION
- #2008.014, FLOOD PLAIN REQUIREMENTS
- #2008.015, FINAL INSPECTION CHECKLIST
- #2008.016, FRAMING INSPECTION CHECKLIST
- #2008.017, POLE BARN ACCESSORY STRUCTURES