

**8.3.1.3** The necessary right-of-way to access the rear lot does not reduce the road frontage of the existing road lot below the minimum established for the district in which it is located.

**8.3.1.4** All buildings and structures on the rear lot conform to the minimum setback requirements for the district in which it is located. All buildings and structures on the rear lot are set back at least the required road setback distance from the rear lot-line of the existing road frontage lot.

**8.3.1.5** The access to the rear lot is not located within one hundred (100) feet of the access to another rear lot.

#### **8.4 Accessory Structures and Swimming Pools**

**8.4.1** No garage or other accessory structure that is permanently attached to the ground or an in-ground swimming pool shall be located in the required front yard area. When located to the side or rear of the principal structure the accessory structure shall be set back a minimum of 10 feet from the side and rear property lines. All accessory structures shall be set back 100 feet from the normal high-water line of a water body and upland edge of a wetland.

**8.4.2** Accessory structures that are not permanently attached to the ground, including above-ground swimming pools, may be located within a required front yard and may be closer than 5 feet to a side or rear lot-line if the following conditions are met:

**8.4.2.1** The principal use of the property is a single or two-family dwelling.

**8.4.2.2** The accessory structure does not exceed 15 feet in height ~~or~~ and is not greater than 144 square feet in floor area.

**8.4.3** A fence shall be erected and maintained around every swimming pool. A structure or building may be used as part of this enclosure. All gates or doors opening through the enclosure shall be capable of being securely fastened at all times when not in use. The term "fence" shall mean a good quality fence or wall not less than 4 feet in height above the ground surface and of a design to exclude children. The fence shall be constructed so as not to have openings, holes or gaps larger than 4 square inches, except for fences constructed of vertical posts or louvers, in which case the openings shall not be greater than 4 inches in width and shall have no horizontal members between the top and bottom plates.

#### **8.5 Temporary Structures**

**8.5.1** Temporary structures used in conjunction with construction work shall be permitted only during the period that the construction work is in progress. Permits for temporary structures shall be issued for a 6-month period and may be renewed for additional six (6) month periods if the CEO determines that reasonable progress is being made toward completion of the work.

**8.5.2** Temporary structures used as an accessory structure to a residential or commercial use may be used for a period not to exceed six (6) months in any calendar year, if all setback and other dimensional requirements are met.