



Why should you obtain a building permit?

Your home is an investment. If your construction project does not comply with codes adopted by your community, the value of your investment could be reduced. Property insurers may not cover work done without building permits and inspections. If you decide to sell your home that has modifications without a permit, you may be required to do costly repairs or alterations.

A property owner who can show that code requirements were strictly and consistently met with each construction project or major repair made to his/her property (as demonstrated by the City's building department's carefully maintained records) could have a strong ally if something happens to cause a potentially destructive and costly lawsuit.

For more information on the benefits of building permits, visit the City of Merriam's website, www.merriam.org or call the Merriam Community Development Department at (913) 322-5520.



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RESIDENTIAL ACCESSORY USES & STRUCTURES



*Guidelines for detached
accessory structures
& uses*





Accessory Uses and Structures

This information is provided as a service to assist in communicating information the City of Merriam requires for detached accessory structures and uses. This information is not intended as a complete list of requirements. The owner or owner's representative is responsible for full compliance with local ordinances and regulations.

Detached accessory structures include: storage sheds, garages, bathhouses for pools, swimming pools, workshops, child's playhouses, etc. Complete requirements for detached accessory structures or uses may be found in Chapter 74, Article VIII of the Merriam Code.

Setback Requirements

A minimum of 7 feet side yard setback is required. No accessory building can be located less than 60 feet from the front lot line, but never forward of the front building line of the principal structure. No part of an accessory building can be located closer than 10 feet to the principal structure.

A 10 feet minimum rear yard setback is required when located adjacent to an alley. If no alley exists, a 7 feet minimum rear yard setback is required. All dimensions are measured to the outermost portion of the structure, including roof overhangs or projections.

On corner lots, the detached accessory structure is required to be located 60 feet from one property line (at the street) and a minimum of 30 feet from the other front property line, as there are two front property lines for corner lots.

Size Restrictions

In general, storage sheds may not exceed 150 square feet of gross area. In some cases, you may have enough area in your rear yard to permit a larger storage shed up to 250 square feet in gross floor area. The maximum size permitted is 3% of the rear lot area (a line measured from the rear of the house to the rear property line) for a maximum of up to 250 square feet in area. You are restricted to the lesser dimension.

In addition, maximum permitted size for a detached garage building is 800 square feet. The maximum height for detached garages is the same as the property's zoning district building height limit. Typically this is 35 feet in residential zoned districts.

Permit Requirements

Are permits required to construct a detached accessory building? In general the answer is yes. However, building permits for storage sheds 150 square feet or less in gross floor area are not required. The Community Development Department requests that you bring in a copy of your plot plan showing the size and location of your proposed structure to verify compliance with zoning requirements, size and setbacks.

If your structure does not require a building permit we will initial and date your plot plan, stating there are no building permit requirements and approve the location. We have found this helpful for both the City of Merriam and the homeowner in minimizing potential problems regarding placement of structures that do not require permits.

Multiple Accessory Structures

I already have a storage shed, am I permitted to construct another accessory structure such as a garage?

Yes. You may have an accessory building and a detached garage. However, you are only permitted to construct one accessory structure of the general use type that include such items as storage sheds, workshops and children

playhouses. Additional types of accessory structures are permitted uses and include detached garages as a type and pool bath house (provided you have a pool) as a type. For example, you could have a detached garage, a storage building and a pool bath house. Or you could have a detached garage, a child's playhouse and a pool bath house. You may not have a detached garage, a storage building and a child's playhouse, since the playhouse and storage building fall in the same category type.

Pool Requirements

Construction of an in ground or above ground swimming pool requires a building permit. Private pools having a depth greater than 2 feet are required to comply with Chapter 74, Article VIII of the Merriam Code. To obtain a building permit for pool installation, please bring a copy of your plot plan showing the location of the pool structure.

Pools are required to be located behind the established front building line and not less than 10 feet from any rear or side lot line. In the case of corner lots, a pool must be located not less than 30 feet from any front lot line.

Pools are required to be enclosed and separated from the adjoining property with a protective fence or other permanent structure at least 4 feet in height. Such protective enclosures shall be provided with locks and kept locked while the pool is not attended.

Another concern for the installation of pools is the location of overhead power lines. The National Electrical Code states that overhead service lines shall be a minimum of 25 feet above the water.

