

Sheds

Revised 01/01/2018

See below excerpt from 780 CMR, the 9th Edition of the Massachusetts State Residential Building Code:

R105.2 Work Exempt from Permit. Except for activities which may require a *permit* pursuant to other laws, by-laws, rules and the *specialized codes* of M.G.L. c. 143, Sec. 96, a building *permit* is not required for the following activities:

Building:

1. One-story detached *accessory structures* provided the floor area does not exceed 200 square feet.

See below excerpt from the West Tisbury Town Bylaws:

D. Setbacks for Accessory Structures and Uses:

1. Any detached garage, studio, barn, stable, tennis court, swimming pool, or any accessory structure attached to the principal building shall comply with the minimum setback requirements of this bylaw for principal buildings. One detached accessory structure or use may encroach into required setback areas provided that it:

- a. Is not used for human habitation;
 - b. Has a footprint no larger than 120 square feet;
 - c. Does not exceed 16 feet in height;
 - d. Is set back at least the height of the structure, but not less than 10 feet, from side or rear lot lines.
 - e. Is not located closer to the street than the front yard setback required for a principal building, except for fences, gates, mailboxes, newspaper receptacles, signs, and sand storage bins, as well as ornamental structures such as entry pillars and statues.
2. For corner lots, the setback from all streets shall be the same for accessory structures as for principal buildings.
3. Any swimming pool, tennis court, or other accessory structure or use with a footprint greater than 600 square feet shall, if in front of the principal building, be set back at least twice the minimum front setback distance.
4. Non-habitable detached or attached accessory structures which do not meet the setback requirements of this Subsection 4.2-2(D) may be allowed by Special Permit from the Zoning Board of Appeals, provided that the Board finds such structures to be in harmony with the residential development in the zoning district and not detrimental to the neighborhood.

What it all means:

One (1) shed 120sqft or less may be located not less than 10', or the height of the shed, from the property line if it does not exceed 16' in height and is not used for human habitation. This shed *would not require a Building Permit.*

Non habitable Sheds > 120sqft are required to meet 50' setbacks from all sides of lot. This shed *would not require a Building Permit.* A Special Permit could be applied for setback relief from the 50' requirement.

Non habitable Sheds >200sqft are required to meet 50' setbacks and *would require a Building Permit.* A Special Permit could be applied for set back relief from the 50' requirement.

Additional questions can be directed to:

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