



# City of Grand Island

Tuesday, June 26, 2007

Council Session

## Item F3

**#9123 - Consideration of Amendment to Chapter 36 of the Grand Island City Code Relative to Accessory Building and Uses**

*This item relates to the aforementioned Public Hearing Item E-5.*

Staff Contact: Chad Nabity

ORDINANCE NO. 9123

An ordinance to amend Chapter 36 of the Grand Island City Code; to amend Section 27 pertaining to portable storage units; to repeal Sections 36-27 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. Section 36-27 of the Grand Island City Code is hereby amended to read as follows:

**§36-27. Accessory Building and Uses**

(A) Accessory buildings shall not be located within the required front yard setback of the lot and or within an easement.

(B) An accessory building on a corner lot shall have a setback from all public streets equal to or greater than the requirement for the existing principal building.

(C) There shall be a minimum setback of six (6) feet between accessory buildings.

(D) If an accessory building has a door opening of over six (6) feet in width on a side parallel to an alley, then such accessory building shall be located not less than eight (8) feet from the lot line abutting the alley.

(E) Detached accessory buildings shall not be allowed on more than 50% of the allowable lot coverage and no single detached accessory building shall exceed 35% of the allowable lot coverage (e.g. A 52.8' x 132' [6969.6 sq. ft.] lot in an R2 zoning district [35% allowable coverage] could cover 2438.31 sq. ft. of the lot with buildings. 1219.155 of that could be devoted to detached accessory buildings with no single building exceeding 853.4085 sq. ft.)

(F) Detached accessory buildings on parcels or lots with less than five (5) buildable acres shall not exceed the height of the principal building by more than 25% (e.g. a house with a peak height of 16 feet could have an accessory building with a peak height of 20 feet.)

(G) Detached accessory buildings on parcels or lots with five (5) or more buildable acres shall be limited by the height regulations that apply to the zoning district.

(H) In Business and Manufacturing Zoning Districts:

(1) Accessory buildings shall comply with all requirements of this code for the principal building.

(I) In Agricultural and Residential Zoning Districts:

(1) Accessory buildings shall be permitted only on the same platted lot as the principal building.

(2) Accessory buildings shall comply with all requirements of this code for the principal building if located within fifteen (15) feet of the principal building or when any part of the accessory building is located in the area between the required front yard setback and a line extending from the back of the principal building to the side lot line.

(3) Accessory buildings on lots with a frontage of 100 feet or more shall have a minimum side and rear yard of five feet.

(4) Accessory buildings on lots with a frontage of less than 100 feet shall have a minimum side and rear yard of two feet.

(J) No accessory building shall be constructed prior to beginning construction of the principal building. No accessory building shall be used unless the main building is under construction; however, in no event shall such building be used as a dwelling unless a certificate of occupancy shall have been issued for such use.

(K) Regulation of accessory uses shall be as follows:

## ORDINANCE NO. 9123 (Cont.)

(1) Except as herein provided, no accessory building shall project beyond a required yard line along any street.

(2) Any accessory building built within fifteen (15) feet of the principal structure shall meet all the requirements for the principal structure.

**§36.27.01 Portable Storage Units** For the purposes of this section, the following definitions shall apply:

### **Definitions**

**Portable storage unit** shall mean any container designed for the storage of personal property which is typically rented to owners or occupants of residential (single or multi-family) property for their temporary use and which is delivered and removed by truck.

**Site** shall mean a piece, parcel, tract, lot, or plot of land occupied or to be occupied by one or more residential buildings or uses and their accessory buildings and accessory uses which generally considered to be one unified parcel.

### **§36.27.02 Number, Duration and Removal of Portable Storage Units for On-Site Storage.**

There shall be no more than one portable storage unit per site no larger than eight (8') feet wide, twenty (20') feet long and eight (8') feet high. No portable storage unit shall remain at a site in a residential district in excess of fifteen (15) consecutive days.

The building official may permit the placement of a portable storage container on a residential property for more than twenty-one (21) days, subject to the building setback requirements, provided that the property owner has a valid building permit or had demonstrated that extenuating circumstances exist to justify the extension. Extenuating circumstances shall include but not be limited to, disaster such as tornado, flood or fire.

### **§36.27.03 Placement**

Portable storage units shall be placed only in the driveway or back yard and be set back a minimum of ten (10') feet from the front property line or five (5') feet from the rear property line.

### **§36.27.04 Signage**

Signs on any portable storage container shall not exceed two (2) in number not more than six (6') square feet each, not to exceed one (1) per side. In the event that an extension of the twenty-one (21) day time limit for placement of a portable storage container on a residential property is granted by the building official, all signs must be removed or covered.

### **§36.27.05 Placard**

All portable storage containers must include a "placard" not to exceed one (1) square foot in area which is clearly visible from the right-of-way which includes the container identification number, date of its placement on the property, date that removal will be required, and a local or toll free telephone number of the company.

SECTION 2. Section 36-27 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 3. The validity of any section, subsection, sentence, clause, or phrase of this ordinance shall not affect the validity or enforceability of any other section, subsection, sentence, clause, or phrase thereof.

ORDINANCE NO. 9123 (Cont.)

SECTION 4. That this ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: June 26, 2007.

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Margaret Hornady, Mayor

Attest:

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RaNae Edwards, City Clerk