

ORDINANCE 1004

AN ORDINANCE AMENDING TITLE XV, CHAPTER 152, SECTION 152.041;  
REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING  
FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF  
GOTHENBURG, NEBRASKA AS FOLLOWS:

Section 1. A copy of Title XV, Chapter 152, Section 152.041 of the Gothenburg  
Municipal Code is attached hereto as Exhibit #1.

Section 2. Title XV, Chapter 152, Section 152.041 of the Gothenburg Municipal Code is  
hereby amended to read as follows:

**§ 152.041 ACCESSORY USES.**

(A) *Uses for dwelling.* Accessory buildings shall not be used for dwelling purposes  
unless specifically permitted.

(B) *Front yard.* No accessory building shall be located between the front building line  
of principal building and the front property line.

(C) Accessory buildings not a part of the main structure may be located in the required  
rear yard and eaves shall not be closer than two feet to any side or rear lot line. A garage  
which is entered from an alley should not be located closer than ten feet to the alley line.  
A freestanding or metal carport shall only be allowed in the rear yard as an accessory use  
structure.

(D) Accessory buildings, if not attached, must be located six or more feet from the  
main structure if it creates a fire hazard or would subject the residential structure to a  
potential fire, such as a detached fireplace, barbecue ovens, flammable liquid storage, and  
the like.

(E) Maximum size of accessory buildings within an R-1, R-2, R-3 and R-4 Zoning  
District are as follows:

(1) For lots of one acre or less:

(a) There shall be a maximum of three accessory buildings.

(b) The area allowed for each detached accessory structure is 720 total square feet,  
or 75% of the total lot coverage of the permitted principal use, whichever is greater; up to  
the maximum allowable lot coverage.

(c) Maximum height of any part of the detached accessory structure shall not  
exceed that of the principal structure, or twenty (20) feet, whichever is higher.

(2) For lots larger than one acre:

(a) There shall be a maximum of three accessory buildings.

(b) The cumulative building area allowed for all detached accessory structures is 1,200 total square feet, or 75% of the total lot coverage of the permitted principal use, whichever is greater; up to the maximum allowable lot coverage.

(c) Maximum height of the detached accessory garage shall not exceed one and one-half times the height of the principal structure, or the height requirement within the applicable district, whichever is less.

(F) Accessory buildings larger than 120 square feet shall comply with §152.063 Residential Design Standards and shall be built to match or closely resemble the principal structure's exterior finish in roofing materials and pitch.

(G) No roll-offs, trailers, vehicles, shipping or storage containers, commercial boxes, or similar structures shall be permitted or modified to be used as accessory buildings in the R-1 and R-2 Zones.

(H) A temporary POD/temporary storage permit shall be required in the R-1 and R-2 Zones and may be permitted by application to the City Clerk. Fees for the permit shall be established by City Council resolution. Permits shall be for a period not to exceed 30 days, however the permit may be renewed for a second 30-day period upon approval of the Building Inspector.

(I) Accessory buildings which are attached to or not located more than six feet from the main structure shall comply with the height, front, side, and rear yard requirements of the main building.

(J) (1) All accessory buildings require a building permit.

(2) All accessory buildings must follow the proper setbacks and other requirements of the accessory building zoning regulations.

(3) All accessory buildings on nonpermanent foundations must be anchored down in some way to the ground. (Example: Rods driven through the skids into the ground; mobile home tie downs with straps going over the top of the building secured to anchors driven into the ground.)

(K) All antenna/satellite dishes shall be located in the rear yard and comply with setback requirements for accessory uses.


(L) The restrictions set forth in divisions (E) and (F) above may be waived by the granting of a special use permit.

Section 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

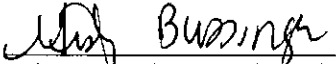
Section 4. This ordinance shall be published and shall be effective after such publication, according to law.

Passed and approved this 21<sup>st</sup> day of September, 2021.

City of Gothenburg

  
Joyce Hudson, Mayor

Attest:

  
Misty Bussinger, City Clerk

Approved as to form:

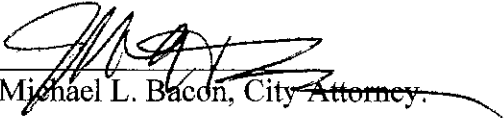
  
Michael L. Bacon, City Attorney.

Exhibit A

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(C) Accessory buildings not a part of the main structure may be located in the required rear yard and eaves shall not be closer than two feet to any side or rear lot line. A garage which is entered from an alley should not be located closer than ten feet to the alley line. A freestanding or metal carport shall only be allowed in the rear yard as an accessory use structure.

(D) Accessory buildings, if not attached, must be located six or more feet from the main structure if it creates a fire hazard or would subject the residential structure to a potential fire, such as a detached fireplace, barbecue ovens, flammable liquid storage, and the like.

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