

## ORDINANCE NO. 1034

AN ORDINANCE AMENDING TITLE XV, CHAPTER 152, SECTION 152.041 AND SECTION 152.063; 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. 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. A free standing or metal carport shall not be allowed to be enclosed on the sides, front, or back to be made into an enclosed accessory building unless a building permit has been applied for and approved by the Building Inspector to allow it to be enclosed.
- (D) Accessory buildings 120 square feet or larger, if not attached, must be located six or more feet from the main structure. If the Accessory building is less than 120 square feet and used as a tool and storage sheds, playhouses and similar uses, the accessory building does not have to meet the requirement of the six or more feet from the main structure and does not require a building permit. (International Building Code adopted by reference in section 150.001 of the Gothenburg Municipal Code).
- (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.

(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, R-2, R-3 and R-4 Zones.

(H) A temporary POD/temporary storage permit shall be required in the R-1, R-2, R-3, and R-4 Zones and may be permitted by application to the City Clerk or Building Inspector. 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 120 square feet or larger 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 2. Title XV, Chapter 152, Section 152.063 of the Gothenburg Municipal Code is hereby amended to read as follows:

**§ 152.063 RESIDENTIAL DESIGN STANDARDS.**

(A) Primary entrance shall be on the street side, not a side yard.

(B) An attached garage shall not exceed 50% of the square footage of the

main level of the residence, or up to one thousand square feet, whichever is greater.

(C) The cladding of the exterior walls shall use building materials, textures and colors appropriate to the architectural style of those structures generally used throughout the neighborhood. Allowable materials are brick, stone, stucco, log or wood, horizontal vinyl lap siding. All metal siding shall be non-reflective and shall be altered to have a brick, stone, stucco, log or wood grain or similar appearance being a type of a horizontal lap siding. No vertical steel siding is allowed on a primary residential building or accessory building in the R-1, R-2, R-3, and R-4 zoning districts. Synthetic materials manufactured to replicate the fore mentioned materials are also allowable upon review by the Zoning Administrator.

(D) No dwelling shall be constructed or converted from a pre-fabricated structure, metal building, pole barn or similar storage building, originally designed for use as an accessory building.

(E) A front porch may extend into the required front yard setback up to a maximum of six feet. However, any portion of a front porch that extends into the required front yard shall not be enclosed by walls, windows or screens.


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.

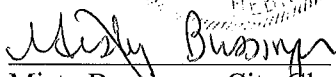
Passed and approved this 4<sup>th</sup> day of June, 2024.



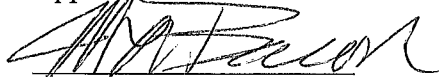
City of Gothenburg

  
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Will Rahjes, Mayor

Attest:

  
\_\_\_\_\_  
Misty Bussinger, City Clerk

Approved as to form:

  
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Michael L. Bacon, City Attorney.