



**City of Franklin
City of Franklin Zoning/Planning Board
April 1, 2024 5:30 PM City Hall**

A Copy of the "Open Meetings Act" is posted in the Council Room
This Agenda can be changed up to 24 hours prior to meeting time per open meeting law.

The Board may enter into closed session to discuss any matter on this agenda when it is determined by the council that it is clearly necessary for protection of the public interest or the prevention of needless injury to the reputation of an individual and if such an individual has not requested a public meeting, or as otherwise allowed by law. A closed session shall be limited to the subject matter for which the closed session was called. If the motion to close passes, the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session.

It is the intention of the Board to take up the items on the agenda in sequential order. However, the Board reserve the right to take up matters in a different order to accommodate the schedules of the board members, persons having items on the agenda, and the public.

1. Call Meeting to Order Roll Call
2. Verification of Open Meetings Notice
3. **Discussion and Action Items**
 - 3.a. Discussion and action on minutes from previous meetings
 - 3.b. **A public hearing to consider amending the 4.08.06 detached accessory buildings or structures shall be located no closer to any other accessory or principal building than 10 feet. Amend this to no closer to any other accessory or principal building than 5 feet.**
 - 3.c. **A public hearing to consider amending the 9-101 building code: the international building code to the Nebraska building code. The change from the building permit to a zoning permit.**
 - 3.d. Discussion and possibly action setting up quarterly meetings for 2024
4. Adjourn

Franklin, Nebraska
December 21, 2023

A meeting of the Zoning Board of the City of Franklin, Nebraska was held at City Hall in said City on December 21, 2023, at 5:30 PM

Upon roll call, the following board members were in attendance: Dave Duncan, Jerrell Gerdes, Kim Naden, Steve Schmidt, Mike Stephens.

Jerrell Gerdes gave notice that a copy of the Open Meetings Act was properly posted in the Council Chambers.

Notice of this meeting was simultaneously given to all members of the board members and a copy of their acknowledgement of receipt of the notice and agenda was communicated in the advance notice as in the notice to the board members of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Motion made by Dave Duncan, seconded by Kim Naden to approve minutes from previous meetings. Motion Passed.

Duncan: Yea, Gerdes: Yea, Naden: Yea, Schmidt: Yea, Stephens: Yea
Yea: 5, Nay: 0

Motion made by Dave Duncan, seconded by Steve Schmidt to amend Section 4.08.06 from 10 feet to 5 feet. Motion Passed.

Duncan: Yea, Gerdes: Yea, Naden: Yea, Schmidt: Yea, Stephens: Yea
Yea: 5, Nay: 0

Adjourn meeting at 5:57 PM

Submitted by:
Michelle Kahrs

Section 4.08 Accessory Building and Uses

- 4.08.01 In no event shall an accessory building be used as a dwelling unless otherwise allowed.
- 4.08.02 In no event shall a portable storage container be used as permanent storage/accessory building within any residential district.
- 4.08.03 No accessory building or structure shall exceed the maximum permitted height allowed in the individual district, unless otherwise provided.
- 4.08.04 No accessory building shall be constructed in the required front yard.
- 4.08.05 No accessory building shall be erected in or encroach upon the required front yard on a corner lot or the front yard of a double frontage lot.
- a. Where the lot size is ½ acre or more, the accessory building may be located in front of the front building line if the building maintains a minimum distance of 20 feet beyond the front setback.
- 4.08.06 Detached accessory buildings or structures shall be located no closer to any other accessory or principal building than 10 feet.
- 4.08.07 When a detached garage or other outbuilding is built within the required setback for a principal structure, the principal structure and detached building shall remain as separate structures and maintain the required separation distances found in Section 4.12.07 above.
- 4.08.08 With the exception of a detached garage, the total of all accessory buildings shall not exceed 1.5% of the total lot area with a TA-1, R-1, R-2, and R-M district.
- 4.08.09 Temporary and portable carports may be allowed in designated zoning districts provided the following criteria shall be met:
1. The carport shall be anchored to the ground
 2. Carport shall not be allowed to have more than three sides covered with a siding material.
 3. Shall meet all minimum setbacks.
- 4.08.10 Detached private garages and outbuildings in the Residential Districts within the corporate limits of Franklin for automobiles and/or storage use and other structures customary and appurtenant to the permitted uses and detached accessory garages shall be constructed of materials customarily used in residential construction and meet the following:
1. Be constructed of materials that are in good repair,
 2. The sidewalls of said building shall not exceed 16 feet in height,
 3. Garages shall have a maximum width of 42 feet,
 4. Garages shall be constructed and finished in materials customary to residential construction.
- 4.08.11 Sheds shall be allowed in the designated zoning districts and shall meet the minimum requirements.
1. Sheds up to 120 square feet shall be anchored to the ground. Sheds between 120 square feet 200 square feet shall be, at a minimum, anchored to a slab.
 2. Sheds over 200 square feet shall be consider a detached garage.
- 4.08.12 Regulation of accessory uses shall be as follows:
1. Except as herein provided, no accessory building shall project beyond a required yard line along any street.
 2. Service station pumps and pump island may occupy the required yards, provided, however, that they are not less than 15 feet from street lines.
 3. Storage of any boat, boat trailer, camp trailer, or other vehicle shall not be permitted in any required front yard; except that a boat, boat trailer, camp trailer may be placed on rock or concrete surfacing in a side yard or rear yard.

§ 9-101 BUILDING CODE; ADOPTED BY REFERENCE.

The International Building Code, 2003 Edition, as published by the International Code Council, Inc., is hereby adopted as the Building Code of this municipality for establishing the minimum regulations governing the conditions and maintenance of all property, buildings and structures, providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, and providing for the condemnation of buildings and structures unfit for human occupancy and use and for the demolition of such buildings and structures. Each and all of the regulations, provisions, penalties, conditions and terms of the Building Code are hereby referred to, adopted and made a part hereof, as if fully set out in this section. The Building Code, printed in book or pamphlet form, is hereby incorporated by reference in addition to all amended editions as though printed in full herein insofar as such Code does not conflict with the statutes of the State of Nebraska. One copy of the Building Code is on file at the office of the Municipal Clerk and is available for public inspection at any reasonable time. The provisions of the Building Code shall be controlling throughout the municipality and throughout its zoning jurisdiction.

(Ord. 762, passed 1-12-2004)