

ORDINANCE NO. 503

An ordinance to amend **Article 17, Supplemental Provisions**, of the Village of Ansley Zoning Regulations to establish requirements and restrictions on the use of portable storage/cargo containers in the Village of Ansley, Nebraska; to repeal all ordinances or parts thereof in conflict with this ordinance; to prescribe the time when this ordinance shall be in full force and effect.

The Planning Commission of the Village of Ansley, following a hearing as required by law, has recommended that the Zoning Ordinance of the Village of Ansley be amended to include Article 17-12. The Village Board of Ansley finds that it is in the best interest of the residents of the Village that Article 17, Supplemental Provisions, of the Zoning Ordinance of the Village of Ansley be amended to include Article 17-12.

BE IT ORDAINED BY THE CHAIRPERSON AND BOARD OF TRUSTEES OF THE VILLAGE OF ANSLEY, NEBRASKA, that:

Section 1. After complying with all procedures required by law, Article 17 of the Zoning Regulations of the Village of Ansley, Nebraska, will be amended to read as follows:

17-12. PORTABLE STORAGE/CARGO CONTAINERS

A. Definitions –

Portable storage/cargo containers are defined in one of the following categories:

1. A large container designed, used, rented or leased for the storage or moving of commercial, industrial, or household goods that does not contain a foundation or wheels for movement. Examples of this use include piggyback containers that can be transported by mounting on a chassis, and “PODS”, MODS, etc., type boxes that can be transported on a flatbed or other truck; but do not include prefabricated sheds that are not designed for transport after erection, or commercial trailers used by construction or other uses in the regular performance of their business.
2. Containers designed for the collection and hauling of waste or debris, including but not limited to roll-off containers or boxes and bin containers (dumpsters).
3. Non-propelled, fully enclosed trailers that are designed or used to transport goods, material and equipment (semi-trailers).
4. For the purposes of this 17-12 section, temporary shall be considered a time not to exceed fourteen (14) days in a twelve (12) month consecutive period.

B. Portable Storage/cargo containers – Residential District

1. The use of a dumpster for a temporary period, as defined in this ordinance, will be allowed in the Residential District without a permit; however placement of the dumpster will be in accordance with the guidelines of this ordinance and other health and safety standards.
2. The owner or occupant of the residential lot or parcel on which the portable storage container will be used must first obtain an application from the Village Office and be granted a permit prior to the

placement of the container. The temporary placement of one (1) portable storage container not to exceed the size dimensions of eight feet (8') wide by eight feet six inches (8'6") high by sixteen feet (16') long on a residential lot for the purpose of loading and unloading household contents shall be permitted for a time not to exceed fourteen (14) days in a twelve (12) month consecutive period. Additional time is subject to approval by the Village Board following a recommendation by the Zoning Administrator on a case by case basis. Additional containers on the same site require approval by the Village Board following a recommendation by the Zoning Administrator and prior to placement. Portable storage containers shall not be used to store or transport non-residential materials and substances, including but not limited to the following: (1) contractors' materials and equipment, (2) solid waste, (3) hazardous materials, (4) explosives, and (5) unlawful substances and materials.

3. Portable storage containers shall not be used for long term or permanent storage.

4. The property must be occupied by a principal residential building.

5. If a portable storage container is placed in the front yard, then the portable storage container shall be located only in the area used for vehicular ingress and egress and must have a ten foot (10') setback from the edge of the curb. If no curb exists, the portable storage container shall have a ten foot (10') setback from the edge of the pavement. The portable storage container shall not block the sidewalk area. The preferred location is in the driveway of the residence, but in no case shall the container be placed in the street or encroaching on public right-of-way. Containers not placed in the front building setback shall be placed a minimum distance of five feet (5') from any side or rear yard property line.

6. Signs on any portable storage container shall be limited to not more than twelve (12) square feet each, not to exceed one (1) per side. Signage on the container shall not be used for advertising off-premise businesses other than the company that owns and operates the container business.

7. No sales shall be conducted from a portable storage container without prior Village Board approval.

8. All storage containers shall be clean and well maintained.

9. Storage containers shall not be stacked vertically.

10. All storage containers shall be located totally on the owner's lot, and no part shall be located on any public property.

11. Semi-trailers used for storage shall not be permitted in the Residential District.

C. Portable Storage/cargo containers – Commercial Retail and Commercial Heavy Districts

1. The owner or occupant of the commercial retail or commercial heavy lot or parcel on which the portable storage container will be used must first obtain an application from the Village Office and be granted a permit prior to the placement of the container. The use of dumpsters as defined in this ordinance will be allowed in the Commercial Retail and Commercial Heavy Districts without a permit; however placement of the dumpster will be in accordance with the guidelines of this ordinance and other health and safety standards.

2. Only portable storage/cargo containers not more than eight feet (8') in width, eight feet six inches (8'6") in height and not more than forty feet (40') in length are allowed in commercial retail and commercial heavy zoning districts. There will be no permanent placement of portable storage/cargo containers in commercial retail or commercial heavy districts. The time that portable storage containers can be allowed on a particular site shall be established by the Village Board following a recommendation from the Zoning Administrator.

3. Location of containers on the site shall be restricted to the location approved on the site plan by the Zoning Administration.

4. Containers approved for placement for a duration of twelve (12) months or more must be screened from view of any adjacent property and public streets in a manner approved by Village Board, following a recommendation from the Zoning Administrator, including, but not limited to fencing, berming, landscaping, or a combination thereof.

5. All storage containers shall be clean and well maintained.

6. Storage containers shall not be stacked vertically.

7. All storage containers shall be located totally on the owner's lot, and no part shall be located on any public property nor shall any part block a sidewalk.

8. Signs on any portable storage container shall be limited to not more than twelve (12) square feet each, not to exceed one (1) per side. Signage on the container shall not be used for advertising off-premise businesses other than the company that owns and operates the container business.

9. No sales shall be conducted from a portable storage container without prior Village Board approval.

Section 2. That Article 17, Supplemental Provisions, of the Zoning Regulations of the Village of Ansley, Nebraska shall be amended to include this ordinance, and all other ordinances of said Village or parts thereof in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

Section 4. This ordinance shall be published in pamphlet form within 15 days from this date and also by posting a written copy in each of three places in the Village, to-wit: Security State Bank, the Village Clerk's Office and the United States Post Office.

Passed and approved this 8th day of December, 2014.

ATTEST:


Lanette C. Doane, Clerk


Travis Harrop, Chairperson pro-tem