

ORDINANCE 2024- 07

AN ORDINANCE REPEALING SECTION 220.02 OF THE FRANKLIN COUNTY ZONING CODE AND ADOPTING A NEW SECTION 220.02 OF SAID CODE TO DEFINE WHAT ARE ACCESSORY STRUCTURES AND WHEN ACCESSORY STRUCTURES MAY BE CONSTRUCTED; PROVIDING A DEFINITION OF COMMENCEMENT OF CONSTRUCTION; PROVIDING FOR EXEMPTIONS AND PROVIDING FOR REPEAL AND AN EFFECTIVE DATE

WHEREAS, Franklin County hereby determines and finds that section 220.02 of the Franklin County Zoning Code presently provides that accessory structures and uses are not allowed until such time as the principal structure is erected; and,

WHEREAS, Franklin County hereby determines and finds that the Franklin County Zoning Code does not provide a definition of the phrase “until such time as the principal structure is erected;” and,

WHEREAS, Franklin County hereby determines and finds that it is in the best interests of the public’s health, safety and welfare that it amend section 220.02 of the Franklin County Zoning Code to provide a definition when accessory structures may be constructed; and

WHEREAS, Franklin County hereby determines and finds that the enactment of this ordinance is a proper and reasonable exercise of its police powers; and,

WHEREAS, Franklin County hereby determines that the amendment of section 220.02 to clarify when accessory uses of land may be constructed is reasonable and is rationally related to the purpose of encouraging the development of lands in unincorporated Franklin County, together with the principal uses authorized by the Franklin County Zoning Code, and thereby protects the use and value of all lands in Franklin County regulated by the Franklin County Zoning Code,

NOW THEREFORE BE IT ORDAINED THAT:

Section 1. The Franklin County Zoning Code at section 220.02 presently provides as follows: “220.02 ACCESSORY STRUCTURE AND USE – A structure or a use customarily incidental and subordinate to the principal structure or use and located on the same lot. An accessory structure shall not be constructed nor accessory use allowed until such time as the principal structure is erected. Sea walls and docks are exempt from this requirement.

Section 2. All of Section 220.02 of the Franklin County Zoning Code is hereby stricken and repealed in its entirety.

Section 3. New Section 220.02 of the Franklin County Zoning Code is hereby adopted as amended below, as follows:

“220.02 ACCESSORY STRUCTURE AND USE – A structure or a use customarily incidental and subordinate to the principal structure or use and located on the same lot, including pools, non-habitable pole barns and non-habitable storage sheds. An accessory structure shall not be constructed nor accessory use allowed until such time as construction of the principal structure has commenced. For purposes of this section, commencement of construction of the principal use shall mean either the commencement of construction of the foundation for a principal use built on grade or the commencement of installation of pilings for principal uses built on pilings. Site preparation and land clearing do not constitute the commencement of construction. Sea walls and docks are exempt from this requirement.

Section 5. Repealer: All ordinances in conflict with this ordinance are repealed to the extent of that conflict, but not otherwise.

Section 6. Effective Date: This ordinance shall take effect as provided by law.

Adopted this the 23rd day of July, 2024.

Franklin County, a political subdivision
of the State of Florida.

By: Ricky D. Jones
Ricky D. Jones, Its Chairman



Attest:

By: Michele Maxwell
Michele Maxwell, Clerk of Courts



Approved as to form and content:

By: Thomas M. Shuler
Thomas M. Shuler, County Attorney