

ORDINANCE NO. 2018- 03

AN ORDINANCE OF FRANKLIN, FLORIDA, CREATING DEVELOPMENT STANDARDS AND RESTRICTIONS FOR THE USE OF METAL STRUCTURES AND POLE BARN AS A SINGLE FAMILY DETACHED DWELLING WITHIN FRANKLIN COUNTY; PROVIDING FOR DEFINITIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, FLORIDA:

SECTION 1: AUTHORITY.

The authority for the enactment of this Ordinance is Chapter 125, *Florida Statutes*, and Franklin County's Home Rule powers.

SECTION 2: FINDINGS OF FACTS.

WHEREAS, Franklin County is required to protect the public health, safety, and welfare; and

WHEREAS, Franklin County finds that it is necessary to exercise its police power to establish development standards and restrictions for the use of metal structures and pole barn dwellings as a single family detached dwelling; and

WHEREAS, Franklin County finds that this ordinance is necessary to protect the unique character of Franklin County and the reasonable development expectations of property owners; and

WHEREAS, it is the intent of Franklin County to prohibit development and/or uses that are inconsistent with the purpose of this ordinance; and

WHEREAS, Franklin County finds that the creation of development standards and restrictions for the use of metal structures and pole barn dwellings as a single family detached dwelling is appropriate to protect the health, safety and general welfare of its citizens; and

WHEREAS, Franklin County finds that the creation of development standards and restrictions for the use of metal structures and pole barn dwellings as a single family detached dwelling is consistent with the comprehensive plan; and,

WHEREAS, Franklin County intends that in the event of conflict between the terms of this ordinance and any other ordinance, then the terms of this ordinance creating development

standards and restrictions for the use of metal structures and pole barn dwellings as a single family detached dwelling shall prevail; and

WHEREAS, Franklin County intends to exclude site-built residential homes using standard wooden framing;

NOW, THEREFORE BE IT ORDAINED by the County Commission of Franklin County, Florida, that the County hereby:

1. Incorporates all of the preamble and findings into this ordinance.
2. Definitions for the purpose of this ordinance:
 - a. Metal Structure: Metal Structure shall mean a structure in which more than 50% of the materials used to construct the exterior wall frame, roof trusses and roof consists of metal.
 - b. Pole Barn Dwelling: Pole Barn Dwellings shall mean a structure which consists of pilings or poles buried in the ground or attached to a foundation along with horizontal framing to provide support on top of which roof trusses and a roof are attached with exterior walls, windows and entry ways constructed between the pilings or poles. Pole Barn Dwellings shall also include, but not be necessarily limited to, structures which may be referred to as pole barn kits, pole framing or post-frame construction, pole building framing, pole building or pole barn used as a single-family dwelling, but shall exclude site-built homes using standard wooden framing.
 - c. Metal: Metal shall mean a solid material that is typically hard, shiny, malleable, fusible, and ductile, with good electrical and thermal conductivity.
 - d. Structure: Structure shall mean any construction, or any production or piece of work artificially built up or composed of parts joined together in some definite manner. That which is built or constructed, specifically including a single-family dwelling or storage; however, the structure shall not combine a single-family dwelling and storage under the same roof within the same structure.
 - e. Single Family Dwelling: Single Family Dwelling shall mean a detached residence designed for or occupied by one family, not to include mobile homes.

SECTION 3: GENERAL DEVELOPMENT STANDARDS

1. The Metal Structure or Pole Barn Dwelling used as a single family detached dwelling shall have:
 - a. an orientation which faces the front of the lot on which it is located. It shall not

face either a side street or alley. The front of a lot which is a corner lot shall be the narrower lot line abutting a public street.

- b. a covered porch running at least one-half the entire length of the front of the dwelling with a minimum width of six feet. This shall not prevent the construction of additional porches on the structure.
- c. a roof with a minimum pitch 4:12 or more constructed of standing seam metal or dimensional shingles.
- d. The exterior wall covering shall be of a material other than metal, such as, without limitation, brick, wood, vinyl siding, hardy board or similar traditional materials used to construct a single-family dwelling. Notwithstanding the general prohibition against metal siding, metal residential dimensional lap siding will be allowed, provided that it is no more than ten (10) inches in width

PROHIBITIONS

1. Any use not specifically authorized by this ordinance.
2. Metal Structures and Pole Barn Dwellings shall not be used for multi-family dwellings as defined by section 220.23 of the Franklin County Zoning Code; to wit: A residence designed for or occupied by two or more families, with separate housekeeping and cooking facilities for each, for example: duplexes, townhouses, row houses, apartments and condominiums.
3. Metal Structures and Pole Barn Dwellings shall not combine storage space and Single-Family Dwelling under the same roof within the same structure, unless the storage space is contained within the exterior walls of the Single-Family Dwelling or attached garage. For example, and not by way of limitation, this ordinance is intended to prohibit the construction of a structure enclosing 4,000 square feet on a foundation, of which 1,000 square feet is constructed as a Single-Family Dwelling with heated and cooled space and the remaining 3,000 square feet is not heated and cooled space and is used for storage of items of personal property, such as, but not limited to, boats, recreational vehicles, motor vehicles, and similar items of personal property located outside of the Single-Family Dwelling, but under the same roof within the same structure.
4. A Metal Structure or Pole Barn Dwelling used as a single-family dwelling shall not exceed 2,000 square feet of heated and cooled space.
5. If the Metal Structure or Pole Barn Dwelling includes an attached garage, it shall be enclosed on all sides with a roof matching the shape, angle and color of the roof of the Single-Family Dwelling. The square footage of the garage shall not exceed 600 square feet. The square footage of the attached garage shall not be included in the calculation of the 2,0000 square-foot maximum square footage.
6. The Metal Structure or Pole Barn Dwelling shall not exceed one story.
7. Shipping containers shall not be used as a residential dwelling.

SECTION 4: SEVERABILITY.

If any section, phrase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5: EFFECTIVE DATE.

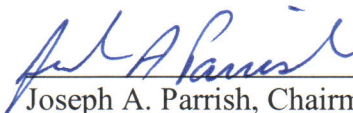
This Ordinance shall take effect as provided by law.

SECTION SIX: CONFLICTS.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED and ADOPTED on the second reading, in regular session, with a quorum present and voting, by the County Commission, on this 20th day of February, 2018.

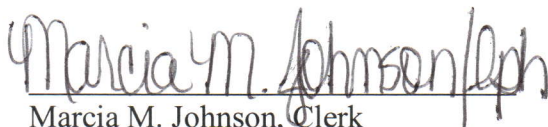
FRANKLIN COUNTY, a political
subdivision of the State of Florida



Joseph A. Parrish, Chairman

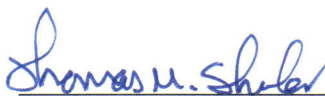


ATTEST:



Marcia M. Johnson, Clerk

APPROVED AS TO FORM



Thomas M. Shuler, County Attorney