



TO: James A. Eckrich, P.E.
City Administrator

FROM: Dzenana Mruckovski
Director of Public Works

DATE: January 20, 2009

RE: Request to Amend Zoning Code
Section 26-142
Section 26-186

On January 7, 2009 the Planning and Zoning Commission heard a request from the Director of Public Works to amend the Zoning Code regarding carports. Recently there have been several complaints made to Public Works staff regarding carport structures and storage therein. After reviewing the City's requirements for carports and researching the requirements of neighboring municipalities, the City Staff has found the Crestwood Municipal Code to be deficient in several areas. City staff recommends that the Crestwood Municipal Code be modified as follows:

Section 26-142 Definitions

Carport: An open-sided shelter designed for a parked car, whether attached to a house or detached. A carport may have as many as three walls, or as few as none.

Garage: An enclosed building primarily designed to house motor vehicles. It can be either attached to the main house or detached and surrounded by open space.

Section 26-186 Accessory Buildings & Structures

No Accessory building or structure shall be used prior to the principal building or use, except as a construction facility for the principal building. Accessory buildings or structures must conform to all provisions of this article. On a corner lot, all accessory buildings or structures (except garages) and recreational vehicle pads must be located in the rear yard.

(4) Carports:

- a. *Code requirements*: Carports are subject to the requirements for attached or detached structures except as otherwise provided for in this section.
- b. *Carport storage restrictions*: It is unlawful to store within a carport any construction material, indoor furniture, or waste material of any kind except in approved waste receptacles. Any storage which would render the area unsightly, unclean, or unsafe is prohibited. Orderly storage of outdoor equipment or firewood is acceptable. It is the duty of the property owner to ensure that the carport is maintained in a safe and sanitary condition.

After discussing the matter, as described in the attached minutes, the Planning and Zoning Commission unanimously voted to recommend approval of the zoning code amendments, with the following additions and revisions:

Section 26-142 Definitions

Carport: An open-sided shelter designed **primarily** for parked ~~car~~ **motor vehicles**, whether attached to a house or detached. A carport may have as many as three walls, or as few as none

Section 26-186 Accessory Buildings & Structures

(4) b. *Carport storage restrictions*: It is unlawful to store within a carport any construction material, indoor furniture/**appliances**, or waste material of any kind except in approved waste receptacles. Any storage which would render the area unsightly, unclean, or unsafe is prohibited. Orderly storage of outdoor equipment or firewood is acceptable. It is the duty of the property owner to ensure that the carport is maintained in a safe and sanitary condition.

The Planning and Zoning Commission unanimously voted to recommend approval of the zoning code amendment to the Board of Aldermen.

Action Recommended

After allowing the public an opportunity to speak, the public hearing should be closed. The Board should then consider the request to amend section 26-142 and 26-186 of the Zoning Code. If the Board concurs with the Commission's recommendation, it should authorize the City Attorney to prepare an ordinance amending the zoning code. If the Board does not concur with the Commission, it should vote to deny the zoning code amendment.