

BILL NO. 6042-07 ORDINANCE NO. 5181-07 SECTION NO. XIII

**AN ORDINANCE AMENDING SECTION 1-9.11 PERMITTED ACCESSORY USES, OF THE COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF RAYTOWN, MISSOURI.**

**WHEREAS**, Application PZ-2006-021, submitted by the City of Raytown, proposing amendments to Section 1-9.11 Permitted Accessory Uses, of the Comprehensive Zoning Regulations for the City of Raytown, Missouri, was referred to the Planning Commission to hold a public hearing; and

**WHEREAS**, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on January 4, 2007, and rendered a report to the Board of Aldermen recommending that the amendment be approved; and,

**WHEREAS**, after due public notice in the manner prescribed by law, the Board of Aldermen held a public hearing on February 6, 2007, and rendered a decision to amend the zoning regulations.

Now therefore, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RAYTOWN, MISSOURI, AS FOLLOWS:

Section 1. That Section 1-9.11 of the Comprehensive Zoning Regulations for the City of Raytown, Missouri, is hereby amended to read as follows:

**1-9.11 Permitted Accessory Uses.** Any structure, vehicle or device may be allowed as an accessory use or structure if it meets the definition of accessory use or building contained in these regulations. Such uses may include, but are not limited to, the following:

On all property zoned residential, all accessory buildings shall comply with the following regulations unless a conditional use permit has been issued for the accessory building, pursuant to Section 20 of these Zoning Regulations:

- A. An accessory building shall not be constructed on a lot until the principle structure has been constructed.
- B. Number of Accessory Buildings Allowed: No more than two accessory buildings shall be located on a lot.
- C. Size of Accessory Buildings Allowed: No accessory building shall cover a land area exceeding 720 square feet and a second accessory building shall not cover a land area exceeding 120 square feet.
- D. Maximum Height of Accessory Buildings:

(1) An accessory building covering a land area of 720 square feet or less shall not have a height greater than the principle building on the property or fifteen (15) feet, whichever is less.

(2) An accessory building covering a land area of 120 square feet or less shall not exceed eight (8) feet in height.

E. Exterior Materials Allowed:

(1) The exterior materials of an accessory building covering more than 120 square feet of land area shall be the same as the exterior materials on the principle building. Alternative exterior materials may be approved by the Director of Community Development if such materials are durable, similar to the exterior materials on the principle building, and of a type commonly used in residential construction in Raytown.

(2) The exterior on an accessory building that is 120 square feet or less shall consist of one of the following materials:

- a. Prefabricated metal shed kit;
- b. Wood siding;
- c. Cement fiber siding;
- d. Clear fiberglass siding commonly used for greenhouses;
- e. Other exterior materials approved by the Director of Community Development if such materials are durable, similar to the exterior materials on the principle building, and of a type commonly used in residential construction in Raytown.

F. Accessory buildings shall comply with all other applicable regulations and codes of the City of Raytown.

On all property zoned residential, all accessory uses shall comply with the following regulations:

A. Storage of recreational equipment and vehicles such as boats, camping trailers or motor homes is permitted, provided that they shall not be utilized for living purposes, except for the convenience of temporary lodging only for a period of two (2) weeks each year and, when stored on a residential lot as personal property of the occupant, shall not be located within the right-of-way of any dedicated street or less than five (5) feet from any property line, as long as such storage is on a paved surface.

B. Guest houses (without kitchen facilities) or rooms for guests in a permitted accessory building, provided that such facilities are used for the occasional housing of guests of the occupants of the principal building and not as rental

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units for permanent occupancy as housekeeping units.

- C. Outdoor storage shall not be permitted as an accessory use, except as specifically permitted in the district regulations.

On all property zoned residential, all accessory structures other than accessory buildings shall comply with the following regulations unless approved as part of a Planned Zoning Overlay District or a conditional use permit has been issued for the accessory structure, pursuant to Section 20 of these Zoning Regulations:

- A. Statuary, arbors, trellises, barbecue stoves, flagpoles, fences and walls constructed in accordance with these zoning regulations, bathhouses and swimming pools that are enclosed by a security-type fence as approved by the Community Development Director, regardless of whether the pool is above or below ground.

- B. Pens, kennels, or other enclosures used for the keeping of animals are permitted, subject to the following conditions:

- (1) No pen, kennel or other enclosure for the housing of dogs or cats shall be kept or maintained within fifteen (15) feet of the nearest portion of any building occupied by or in any way used by human beings, other than the dwelling occupied by the owner or keeper of the dogs or cats, or within ten (10) feet of any property line.
- (2) No chicken coop, dove cote, rabbit hutch or other yard establishment for the housing of fowl or small animals, except dogs and cats, shall be kept or maintained closer than one hundred (100) feet to the nearest portion of any building occupied by or in any way used by human beings, other than the dwelling occupied by the owner or keeper of the animals or fowl, or within twenty-five (25) feet of any property line.
- (3) No pen, kennel or other enclosure used for the keeping of animals shall exceed 216 square feet.

Section 2. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. That this ordinance shall be in full force and effect from and after the date of its passage and approval.



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BE IT REMEMBERED that the above was read two times, and upon final vote taken the 20<sup>th</sup> day of February, 2007, was approved by the Board of Aldermen of the City of Raytown, Jackson County, Missouri upon the following vote:

Alderman	Aye	Nay	Absent/Abstain
Walters	✓		
Ness			✓
Aziere	✓		
Hamilton	✓		
Smith	✓		
Melson			✓
Schlapia	L		
Hartwell	✓		
Fleming	✓		
Riehle	✓		
Tie Vote: Mayor Frank			

Teresa M. Newton  
Teresa Newton, City Clerk

APPROVED BY THE MAYOR the 20<sup>th</sup> day of February, 2007.

Sue Frank  
Sue Frank, Mayor

or:

APPROVED without the Mayor's signature the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

or:

APPROVED over the Mayor's veto the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

ATTEST:

Teresa M. Newton  
Teresa Newton, City Clerk

APPROVED AS TO FORM:

Joanne Ellsworth  
Joanne Ellsworth, City Attorney

Sponsor(s): The Planning Commission