

**INTRODUCED BY: ALDERMAN THOMPSON**

**AN ORDINANCE AMENDING WARSON WOODS MUNICIPAL CODE SECTION 415.030 PERTAINING TO HEIGHT AND AREA REGULATIONS IN THE RESIDENTIAL ZONING DISTRICTS.**

**Whereas**, on July 11, 2018, the Planning and Zoning Commission considered proposed amendments to the City’s Zoning Code to allow certain front porches to encroach into the front yard setback (the Amendment), and after reviewing the matter, recommended that the Amendment be approved; and,

**Whereas**, on August 21, 2018, the Board of Aldermen held a duly noticed public hearing on the Amendment; and,

**Whereas**, after reviewing and discussing the Amendment, considering public comments, and taking into account all other information and data available to it, the Board finds that adopting the Amendment is in the best interest of the citizens of the City of Warson Woods;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WARSON WOODS, MISSOURI, AS FOLLOWS:**

**Section 1:** Municipal Code Section 415.030, “Height and Area Regulations,” subsection A “A” Residence District, is hereby amended by repealing subsection A.2.a. and adding in its place a new subsection A.2.a. as shown underlined below, to read as follows:

A. “A” Residence District. In the “A” Residence District, the height of buildings, the minimum dimensions of yards and the minimum lot area per family shall be as follows:

2. Front and rear yards. In the “A” Residence District, no building or structure shall be erected or structurally altered within thirty (30) feet of the front and rear lot lines. In the case of a corner lot, no building or structure shall be erected or structurally altered in the front or rear yard within thirty (30) feet of the street side lot line.

a. Notwithstanding anything herein to the contrary, an Open Porch may encroach into the front yard setback up to eight (8) feet. Furthermore, for any Single Family Dwelling that currently encroaches into the front yard setback, an Open Porch may be constructed or reconstructed along its Front Façade provided that the proposed Open Porch does not encroach more than eight (8) feet into the front yard setback at any point. For purposes of this Section:

- (1) “Open Porch” means a roofed structure attached to a Single Family Dwelling and open on two (2) or more sides. A screened-in porch shall not be considered an “Open Porch.”
- (2) “Front Façade” means the exterior wall or walls perpendicular to the horizontal view between the grade and the roof structure of a Dwelling and architecturally designed and constructed as the front elevation of the Dwelling as determined by the Building Commissioner.

**Section 1:** Municipal Code Section 415.030, *Height and Area Regulations*, subsection B "B" *Residence District*, is hereby amended by repealing subsection B.2.a and adding in its place a new subsection B.2.a. as shown underlined below, to read as follows:

B. "B" *Residence District*. In the "B" Residence District, the height of buildings, the minimum dimensions of yards and the minimum lot area per family shall be as follows:

2. Front and rear yards. In the "B" Residence District, no building or structure shall be erected or structurally altered within thirty (30) feet of the front and rear lot lines. In the case of a corner lot, no building or structure shall be erected or structurally altered in the front or rear yard within thirty (30) feet of the street side lot line.

a. Notwithstanding anything herein to the contrary, an Open Porch may encroach into the front yard setback up to eight (8) feet. Furthermore, for any Single Family Dwelling that currently encroaches into the front yard setback, an Open Porch may be constructed or reconstructed along its Front Façade provided that the proposed Open Porch does not encroach more than eight (8) feet into the front yard setback at any point. For purposes of this Section:

- (1) "Open Porch" means a roofed structure attached to a Single Family Dwelling and open on two (2) or more sides. A screened-in porch shall not be considered an "Open Porch."
- (2) "Front Façade" means the exterior wall or walls perpendicular to the horizontal view between the grade and the roof structure of a Dwelling and architecturally designed and constructed as the front elevation of the Dwelling as determined by the Building Commissioner.

**Section 3:** This Ordinance shall be in full force and effect from and after its passage and approval.

THIS BILL PASSED AFTER HAVING BEEN READ IN FULL TWO TIMES PRIOR TO PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF WARSON WOODS, MISSOURI, THIS \_\_\_\_\_ DAY OF AUGUST, 2018.

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Laurance M. Howe, Mayor

ATTEST:

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Kathy Mahany, City Clerk