

AN ORDINANCE OF THE CITY OF WARSON WOODS, MISSOURI, AMENDING SUBPARAGRAPH (7) OF SUBSECTION (A) OF SECTION 415.060 OF THE CITY OF WARSON WOODS, MISSOURI MUNICIPAL CODE AS THE SAME RELATES TO ACCESSORY STORAGE UNITS.

WHEREAS, the Board of Aldermen desires to amend Section 415.060(A)(7) of the Municipal Code to correct certain inconsistencies contained therein; and

WHEREAS, the Board of Aldermen and Planning and Zoning Commission held public hearings on the proposed amendment and interested persons and residents were given an opportunity to speak; and

WHEREAS, the Board of Aldermen hereby finds and determines that it is to the benefit of the City to correct the inconsistencies identified in Section 415.060(A)(7) of the Municipal Code;

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

SECTION 1. That Subparagraph (7) of Subsection (A) of Section 415.060 of the Municipal Code of the City of Warson Woods, Missouri, be and hereby is amended by deleting Subparagraph (7) of Subsection (A) of Section 415.060 in its entirety, and enacting, in lieu thereof, a new Subparagraph (7) of Subsection (A) of Section 415.060 of the Municipal Code of the City of Warson Woods, Missouri, to read as follows:

Section 415.060. Additional Height, Area, Fence and Screen Exceptions.

A. The foregoing height and area requirements shall be subject to the following exceptions and regulations:

...

7. Accessory Storage Units.

a. To be permitted in the "A" and "B" Districts, accessory storage units must meet the following minimum standards:

- (1) Shall not exceed six (6) feet eight (8) inches in height;
- (2) Shall not exceed six (6) feet five (5) inches in width;
- (3) Shall not exceed a total of thirty (30) square feet in area;
- (4) Shall not have a storage capacity greater than two hundred (200) cubic feet;

- (5) Shall be located off the ground on paved surfaces or other hard surfaces, including open porches and decks;
- (6) Shall integrate the architectural aesthetic character of the associated principal residential structure or shall be constructed of cedar, or prefabricated plastic;
- (7) Shall be located in the rear yard, outside of the setbacks and within the curtilage of the principal residential structure;
- (8) Shall serve to protect materials or equipment from damage, theft or visibility; and
- (9) Shall not be supplied with utilities such as plumbing or electrical service.

b. The provisions stated herein do not apply to accessory storage units located on enclosed or screened-in porches.

SECTION 2. Savings Clause. Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof.

SECTION 3. Severability Clause. If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

SECTION 4. Effective Date. This Ordinance shall be in full force and take effect from and after its final passage by the Board of Aldermen and approval by the Mayor.

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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 _____, 2023.

Sean Fitzgerald, Mayor

ATTEST:

Kathy Mahany, City Clerk

APPROVED AS TO FORM:

Drew Weber, City Attorney