

BILL NO. 2023-33

ORDINANCE NO. 2023-1463

**AN ORDINANCE AMENDING CHAPTER 405, ARTICLE XVIA, OF THE MUNICIPAL CODE ON ACCESSORY BUILDINGS IN RESIDENTIAL ZONES**

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF CARROLLTON as follows:

**Section 1:** Article XVIA. Accessory Buildings in Residential Zones, Chapter 405, of the Municipal Code of the Town of Carrollton, Missouri is amended to read as follows:

**Section 405.1155 General Regulations**

A. Detached Accessory Building Restrictions. Garages, engineered carports, gazebos, tool/storage shed, (referred to in this Section as “accessory buildings”) which are detached from the related residential home are a permitted use in any residential zoning district with the following conditions:

1. If located on the same lot as the related residential home, an accessory building shall be a minimum of ten (10) feet from the residential home, and the front of the accessory building may not be closer to the front property line of the lot than the related residential home. If the accessory building is located on a separate lot, the front of the accessory building may not be closer than twenty-five (25) feet to the front property line of the lot.
2. The accessory building shall not be less than twenty-five (25) from any streetside property line and not less than ten (10) feet from any side or back lot line not abutting a street.
3. The accessory building shall occupy no more than thirty percent (30%) of the required rear yard or no more than thirty percent (30%) of the lot if located on a lot different from the related residential home.
4. If a detached accessory building is located on a lot owned by the applicant other than the lot where the related residential home is located, the accessory building lot must share a border with the lot where the applicant's related residential home is located. Any sale of the residential home lot shall include the sale of the accessory building lot. However, sale of the accessory building lot, without the residential lot, is permitted to an owner with a primary residential lot which shares a border with the accessory building lot. The owner of a lot requesting a building permit for an accessory building on a lot separated from the lot where the primary residential home is located must record, at his or her expense, with the Carroll County Recorder of Deeds a notice of a sale restriction in a form acceptable to the Town and deliver a recorded copy of the notice to the Town Zoning Officer prior to issuance of a building permit for the accessory building.

5. The accessory building may be used in connection with any permitted home-based business activities.

6. The accessory building may not be used for any dwelling purposes at any time.

7. Freestanding arched structures (also known as "Quonset huts") are prohibited.

B. Building Standards. Detached accessory buildings located in residential zoning districts shall meet the following standards as approved by city staff:

1. Unpainted galvanized metal is prohibited as an exterior building material.

Exterior materials shall consist of the same or similar materials as the primary dwelling unless the accessory building is a pre-constructed storage building or a post-frame construction using a finished metal exterior material. In post-frame applications where metal exterior materials are used the exterior must be as follows:

(a) All accessory building fascia that can be viewed from the adjacent or abutting street right-of-way shall at a minimum have exterior decorative accents in the form of brick/stone veneer or other acceptable decorative paneling on the lower portion of the structure.

(b) The decorative accents shall be a minimum of thirty-six (36) inches in height as measured from the finished floor elevation.

(c) The city zoning officer shall determine the acceptability of decorative paneling to be allowed.

2. All accessory buildings shall have a pitched roof and a maximum eave height of fourteen (14) feet and eave depth of twelve (12) inches. Accessory buildings with exterior walls eight (8) feet tall or more, and that can be viewed from the adjacent or abutting street right-of-way shall have exterior decorative accents of different color or texture and that coordinates with the primary residence color on the lower portion of structure. The decorative accents shall be a minimum of thirty-six (36) inches in height as measured from the finished floor elevation. The Town Zoning official shall determine the acceptability of any proposed decorative materials and colors;

3. Any accessory building larger than four hundred (400) square feet shall have at least two (2) windows and a minimum thirty-six-inch wide (3'0") walk-in door unless a waiver is requested and need is established.

4. All accessory buildings having a driveway must have the driveway apron made of asphalt or concrete from the street to the property owner's side of the sidewalk, or to the limit of the street right-of-way if no sidewalk exists. Curb cuts, width and type of construction for the connection to the street for driveway access must be approved by the Street Superintendent prior to construction. Additional driveway length construction from the apron to the accessory building may be concrete, asphalt, or any other approved material proposed by the owner.

C. Nothing contained herein shall be deemed to authorize a detached accessory building if otherwise prohibited or restricted by covenants or restrictions that apply to a lot.

D. Any exceptions to these provisions must be granted by the Board of Adjustment.

**Section 2:** The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City Council would have enacted the valid portions without the invalid one, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

**Section 3:** This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

**Section 4.** It is the intent of the Town Council that this Ordinance be made a part of the City Code and such inclusion shall have the same force and effect as if the ordinance had been included in the original code at the time of its adoption by the Town Council.

**Section 5:** This ordinance shall be in full force and effect from and after the date of its passage and approval.

A copy of this Ordinance has been made available for public inspection prior to its adoption by the Council and this bill was read by title in the open meeting two times prior to its final passage.

PASSED AND APPROVED THIS 18th DAY OF SEPTEMBER, 2023.

**TOWN OF CARROLLTON, MISSOURI**



John Sweeney, Mayor

ATTEST:



Dana Reimer, City Clerk