

AN ORDINANCE AMENDING THE VILLAGE OF INNSBROOK ZONING ORDER TO REQUIRE BUILDING PERMITS FOR ALL ACCESSORY BUILDINGS AND STRUCTURES OVER 120 SQ. FT.. THIS AMENDMENT ALSO REPLACES ALL CURRENT DEFINITIONS WITH RESPECT ACCESSORY BUILDINGS AND STRUCTURES WITHIN THE VILLAGE OF INNSBROOK WITH THE FOLLOWING DEFFINITIONS

WHEREAS, the Board of Trustees of the Village of Innsbrook, Warren County, Missouri, after having placed a 180 day moratorium to solicit public input and develop regulations to promote the general health, welfare, and safety of the citizens of the Village of Innsbrook; and

WHEREAS, under the provisions of Section 89.050 of the Revised Statues of Missouri a public hearing was duly published and held by the Village of Innsbrook on May 4th, 2004; and

WHEREAS, at said public hearing all interested persons, corporations, and political subdivisions were given an opportunity to be heard and were heard, and were given an opportunity to present evidence and did so; and

WHEREAS, the Board of Trustees after hearing evidence regarding the proposed change to the Zoning Order determined that the proposed change to the Zoning Order was essential to promoting the general health, welfare, and safety of the citizens of the Village of Innsbrook; and

WHEREAS, the Board of Trustees of the Village of Innsbrook desires to plan for the orderly future development and to preserve, protect, and enhance the aesthetics of the Village of Innsbrook's natural resources and scenic beauty; and

WHEREAS, no less than fourteen (14) days have elapsed since the date of the public hearing and no objections have been filed with the Village of Innsbrook against said change to the Zoning Order; and

WHEREAS, a copy of the proposed Ordinance has been available for public inspection prior to its consideration by the Board of Trustees.

WHEREAS, the Board of Trustees of the Village of Innsbrook now determines that the implementation of an ordinance for the regulation of accessory buildings and accessory dwellings as defined below, would be in the best interests of the citizens of the Village of Innsbrook;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF INNSBROOK, WARREN COUNTY, MISSOURI AS FOLLOWS:

Accessory Building Or Structure: A subordinate building or structure having a use customarily incident to and located on the lot occupied by the main building. A building housing an accessory use is considered an integral part of the main building when it has any part of a wall in common with the main building, or is under an extension of the main roof and is designed as an integral part of the main building. Any accessory building which is structurally attached to the principal building of a lot shall be considered part of the principal building and shall comply with all provisions pertaining to the principal structure.

Accessory Use: A use incidental and subordinate to the principal use of the premises.

Transition: A strip of land located between incompatible land uses which is subject to private use restrictions, or negative easement, or is dedicated to public uses as open space, for the purpose of protecting the built environment of a development or to enhance street right-of-way, or both.

Detached Accessory Buildings & Structures Requirements:

Height: A detached accessory building or structure shall **not be higher than the main building.**

Yard & Area Requirements: No Detached accessory building or structure, except garages, shall be erected in any required front or side yard. Detached accessory buildings may be located in the rear yard but shall not occupy more than **thirty percent (30%)** of the rear yard area, except as otherwise regulated. No detached building or structure may be erected closer than **ten (10) feet to the rear or fifteen (15) feet from the side lot line.** In no case shall any accessory structure be located in a required transition strip or a recorded easement area.

Building Bulk Regulations: No accessory building or structure shall be larger in total area than **thirty percent (30%)** of the total building area of the principal structure on the lot.

Corner Lots: On corner lots all street frontages are considered front yard areas. Therefore, accessory structures shall be located in the rear yard area along the interior side lot lines (the side lot shared with the next adjoining lot).

Plans must be submitted: If constructing a prefab structure (Morgan type building), the manufactures specifications must be submitted.

A site plan drawn to scale with required dimensions showing where the structure will be built must be submitted.

Unusual Circumstances: Where property geometry and/or features, such as lakes or severe terrain, prevent the above requirements from being satisfied in a practical or economic manner, the permit request shall be submitted to the Planning and Zoning Commission with justification for approval. Should the applicant disagree with the decision of the Planning and Zoning Commission the matter shall be submitted to the Board of Adjustment for resolution.

This Bill was passed and approved this 10th day of August, 2004, by the Board of Trustees of the Village of Innsbrook after having been read by title or in full two times prior to passage.


Chairman

ATTEST:


Village Clerk