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# Urban Planning and Land Use

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**To:** City Planning Commission  
**From:** City Staff  
**Date:** April 9, 2012  
**Re:** **Proposed Code Amendment concerning accessory structures (carports) (090005)**

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## GENERAL INFORMATION

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As the Planning Commission is aware, accessory structure carports have been an issue in the community for over 3 years. About 2 years ago the Planning Commission recommended changes to the material requirements of these accessory structures. Now the staff is recommending further changes based on public comments and testimony before Unified Government Standing Committees. The legislation comes forward in two parts. The first part related to zoning code issues is the subject before the Planning Commission. Additionally, on April 29<sup>th</sup>, the Unified Government Board of Commissioners will review building code modifications as well.

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## PROPOSAL

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### Planning Proposed changes (ZONING MODIFICATIONS **changes in red**)

27-609 (2) Accessory buildings (garages, carports, tool sheds, etc.). For any dwelling unit there may be permitted a detached accessory building. Such building shall not be located ~~less than 60 feet from the front lot line or in the front yard~~ **in front of the front of the house**, less than two feet from any alley, nor closer than three feet to any side or rear property line. In the case of corner lots, a detached accessory building shall not be within 20 feet of the side street. The total area of such detached accessory building shall not exceed 1,000 square feet or cover more than 30 percent of the required rear yard. In any residential district on lots or tracts of less than three acres, the following conditions shall apply to any detached accessory building of greater than 120 square feet in floor area:

a. The exterior wall materials shall be limited to customary residential finish materials. These specifically include: horizontal clapboard siding of all materials; wood and plywood siding; stone and brick, both actual and artificial, and textured finishes such as stucco and stucco board

which visually cover the underlying material regardless of the underlying material. These specifically exclude preformed, corrugated or ribbed metal, fiberglass or plastic sheets or panels. Also, excluded as an exterior material are standard concrete masonry units. Exception: Metal can be used for the walls of the unit provided they have a factory applied and painted finish closely matching the color of the primary structure. Also, excluded as an exterior material are standard concrete masonry units except when the walls of the building are painted the exact color of the primary structure.

b. The exterior roofing materials for roofs sloped more than two in 12 shall be shingles or tiles and not metal, fiberglass or plastic sheets. Exception: If using a metal roof the color must be a factory applied and painted finish that closely matches the roof color of the primary structure or the color of the primary structure itself if the roof and walls of the accessory structure are to be the same color.

c. Up to two accessory structures existing in a side or rear yard and not in the front yard of a single property prior to April of 2008 are exempt from these regulations. The City's 2008 Aerial photograph will be used to make this determination.

d. Accessory structures constructed after April of 2008 may be granted a variance upon written notarized approval from abutting neighbors impacted by the setback.

e. Any accessory structure located in a front yard must obtain a variance from the board of Zoning Appeals.

f. Any parcel with more than one accessory structure where the structures do not conform to C above must obtain a variance from the Board of Zoning Appeals.

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## **STAFF COMMENTS AND RECOMMENDATION**

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1. The proposal allows carports anywhere behind the front line of the home.
2. The proposal grandfathers proposals prior to 2008. An even year must be used for Aerial photograph purposes)
3. Specifies variances for front yard violations and in certain instances where multiple accessory structures exist.

Staff recommends **APPROVAL** of the ordinance amendments.

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## **ATTACHMENTS**

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Building Code proposal  
Emails from the public

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## REVIEW OF INFORMATION AND SCHEDULE

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Action                      Planning Commission      Unified Government Commission  
Public Hearing   April 9, 2012                      April 29, 2012

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**STAFF CONTACT:**                      **Rob Richardson (rrichardson@wycokck.org)**

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## MOTIONS

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I move the Kansas City, City Planning Commission **RECOMMEND APPROVAL** of this ordinance amendment to the Unified Government Board of Commissioners as meeting all the requirements of the City code and being in the interest of the public health, safety and welfare subject to such modifications as are necessary to resolve to the satisfaction of City Staff all comments contained in the Staff Report; and the following additional requirements of the Kansas City, City Planning Commission:

1. \_\_\_\_\_;
2. \_\_\_\_\_; And
3. \_\_\_\_\_.

**OR**

I move the Kansas City, City Planning Commission **RECOMMEND DENIAL** of this ordinance amendment, as it is not in compliance with the City Ordinances and as it will not promote the public health, safety and welfare of the City of Kansas City, Kansas; and other such reasons that have been mentioned.

## **Building Inspection Proposed Changes (TIE DOWN REQUIREMENT)**

**CARPORT, PORTABLE** A detached manufactured accessory building customarily used for the shelter or storage of vehicles and /or watercraft, including canopies used for such, which can be easily moved without disassembly, after removal of any tie-down or other anchoring provisions intended to compensate for wind displacement, and which is generally a frame covered by lightweight metal membrane material.

**PORTABLE CARPORT** See definition for “Carport, Portable”.

**Portable Carports** shall be assembled to comply with the manufacturer’s instructions and anchored to the ground in compliance with one of the following methods. At a minimum there must be an anchoring point on each side of the carport for every 50 sq. ft. of area covered by the carport.

- 1) One continuous 8” wide by 36” deep concrete stem wall on each longitudinal side of the carport with threaded anchor bolts embedded to match the carport manufacturer’s recommended anchorage spacing.
- 2) A 4 inches thick concrete slab that extends beyond the perimeter of the carport in each direction with threaded anchor bolts embedded in the slab, deepened to 8” at each anchorage location, to match the carport manufacturer’s recommended spacing.
- 3) Bolting the support legs, or adjacent cross support, to an existing concrete slab that is a minimum of 4 inches thick, to match the carport manufacturer’s recommended anchorage spacing. The method of attaching the upright frame to the slab must be shown in the application for building permit.
- 4) Install concrete footings under each leg and bolt the legs, or adjacent cross support, to the new footings with threaded anchor bolts embedded to match the carport manufacturer’s recommended anchorage spacing. The new footings are to be approximately 1 ft. x 1 ft. x 2 ft. deep. The method of attaching the upright frame to the footing must be shown in the application for building permit.
- 5) An alternate anchoring design that provides a permanently paved hard surface floor and anchors the portable carport to the ground and that is approved by the Building Official. If an alternative method is proposed, complete installation details must be provided for review.

The plans and details submitted must clearly indicate the method of anchoring and the flooring to be used. If new concrete footings are to be installed, they must be inspected when formed and prior to pouring of concrete. In all cases, a final inspection must be requested by the applicant.

**Fabric Covered Carports:** All fabric covered carports or similar facilities shall comply with City setback requirements in the zone in which they are located. Unless the facility is considered a structure under the Building Code, no building permit shall be required for their placement. Fabric covered facilities shall be properly maintained, cleaned, and repaired as necessary.

There shall be no electricity or other utilities provided to fabric covered carports, or similar facilities.

## **EMAILS from the public:**

January 15, 2011

To Mayor Reardon, Board of Commissioners and  
R. Richardson, Planning and Zoning Department

In the very recent past I feel this governing body has administered more problems for its citizens then need be concerning carports.

Some years ago we hired a contractor to build us a garage. They came out and bulldozed a level spot large enough for a footing. Due to the sand content of the soil the trench kept falling and filling back up. This made it impossible to pour concrete. The contractor said they could dig a much larger area to allow room to work in and build a concrete block foundation, at a much higher price. We filled up the hole and abandoned the idea of building a garage.

It was many years later that I saw the carports on display. I inquired about them and bought one. I was never told to get a permit. I thought it only common since to anchor them in concrete which I did long before this uproar occurred. By the way, Jane Lynn is not very discrete about her underhanded trick of pointing out all the carports in the city. My double wide carport is situated as to be well protected from wind by evergreen trees and it cannot be seen from the street. Later we bought a pontoon boat. I had no place to protect it from the weather so we bought another carport, single wide and a little taller. It is also anchored in concrete.

We live on 1.73 acres. Our house is located to the extreme rear at approximately 8 ft. from the property line. Our carports are in front and well situated within the boundaries of our property. They are also insured.

Locations:

Distance from street	140 ft.
Distance South boundary	75 ft
Distance North boundary	110 ft.
Distance from house	80 ft.

The area we live in is more rural than residential. The houses are farther apart and fewer of them. Our electrical service was installed the same as a farm. We are the only customer on a single line. Almost everyone has a Dusk-to-Dawn pole light. There are no sewers so everyone has a septic tank with laterals. The laterals can be very fragile

and costly to replace. This had a bearing on the location of my carports. My carports in no way obstruct or endanger anyone, and they do a great job of protecting our vehicles.

We had a small shed that housed the riding lawn mower, gasoline, weed eater, and other outdoor tools. This shed is almost completely removed now. My wife met with Jim Grohusky, Building Inspector and Jim Neath, Inspection Supervisor on 3/18/09. They told her that by removing this shed we could keep one carport and get a Variance on the second and keep it too. At that time they did not know the cost of a Variance and told her to call Zoning and Planning at City Hall. So feeling good about all this she called for an appointment and was able to meet with Brad Munford that same day. He gave her Google maps of my property and told me we meet all the measurements asked for in Sec. 27-1273. Districts R, R-1 which he circled. He suggested we tear down both carports and replace them with a 1,000 sq. ft. one which is covered under this section. Does this make any sense? My 2 carport are a total of 630 sq. ft. which the city does not want me to have, but it's ok for a huge one. Now, I'm no engineer but I know the greater the area of a roof the less of a load it will carry and it is more susceptible to wind. The two small ones are more structurally sound than the larger one.

At the November 3, 2011 meeting, one Commissioner mentioned he had four complaints a day on carports. I feel this is grossly exaggerated and he sounded like a true politician.

We moved to Wyandotte County from K.C. MO in 1957. With over 100 counties in Kansas I ask myself, why did I choose this county? I would not recommend that a friend or relative live here. There are too many ridiculous restrictions.

Hugh D. Green  
Jo Ann Green  
11, So. 65<sup>th</sup> Street  
Kansas City, Kansas

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These carports look okay in rural areas but not appropriate in suburbs. They detract from neighborhoods with homes that have garages. 🌹 Alverne Bush

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I was told some years ago that metal carports were not allowed. I have only recently been made aware that this is not the case and now that I know....it's about to be the case after all. Had I known when I purchased (within city limits) my first ever (& possibly only ever) brand new car that I could have erected a metal carport to protect my investment, you can bet I would have. When I made inquiries into one (with city officials) I came away with the impression that my only option was to add a carport to my house, extending the roof line. That's a big and expensive job, not one I can undertake easily. I love KCK, it's home, but the weather can be rough on our possessions....blistering heat, subzero cold, tornados, hail, right now my car is covered

in a fine layer of pollen....it's a lot to deal with. Wait.....why can't we erect car ports again?? Bethina Sampson

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Metal Carports should have metal roofs that are colored to match the home where they are located. Also ALL carports should be firmly attached to the base upon which they sit, preferably concrete, by means of a permanent bolting system with the intention being that the carport is a PERMANENT structure, not intended to be moved. The Carport should become part of the Real Estate upon which it sits and should be appraised and taxed as Real Estate.

Robert Bliss

Former Realtor

[bsb4199@aol.com](mailto:bsb4199@aol.com)

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I don't find anything wrong with most of the metal carports as long as they are maintained.

Dennis Cox  
12123 Pine Valley Dr.

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I am in favor of the citizens of Wyandotte County to have car ports if they decided they needed one. They would not purchase something without a need for it. I think you should grandfather them in and Leave these people alone so you can concentrate your efforts on curbing crime and our school problems. You have taken years to solve this problem. It is time you give the property owners a break.

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I think carports should be allowed if they are over an improved surface and accent the looks of the property. With many owners having 2 or more cars to a family.....and maybe just a one car garage, having a carport is a tremendous asset during a storm to protect that extra car from possible hail or wind damage. I feel they should be affixed to the ground.

There is a carport in our area that is on the side of a house, that has a huge amount of 'junk' in it. That type of carport does not add to the neighborhood in a nice way.

We have an RV and would love to put a nice carport over it just to protect it from the elements.

Hope you consider my thoughts.

Mrs. Sally Larkin

K.C. Ks. (Turner area)

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They should be able to retain their old carport. Keep them in good shape. Too expensive for wy co to fix the problem: only new restrictions on newer built ones.

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VERY VERY VERY TACKY.... This would more than likely increase the number of boats, trailers and rv parked in yards and driveways... I am not aware of any of the homes in Johnson County that allow metal carports. This feature certainly could not increase the value of a home, might have an effect on value of a neighbors property.

Mary Ann Maslak-Atwell

913 299 3283

David D. Atwell (I am against them)

913 299 3283

Address

715 S 78th ST

Kansas City, KS

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don't have a car port now like in the picture.....But in the future I had planned on buying one and putting it up in the driveway for my truck and the wife's car.....I wonder why all of a sudden these are a major concern of the city of Wyandotte County.....is it because of their location in many cases.....or because the city wants to tax them. Because they have no foundation are they considered Non permanent ? I really would like a few answers as I am confused to what's going on here? Mike Barnes, KCK

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They save cars just keep them up like you would your house LEAVE THEM ALONE and put your attention toward real problems  
Nick Little

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I am writing **in support** of the people of our community who purchased car ports in good faith. The UG has kept these landowners dangling on a string since April 2008 over something that is 20 years old and was never enforced. Grandfather them in a go on to other business.

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Our family doesn't have a metal car port but we would love to have one! The last hail storm that hit our property broke 3 windshields, damaged 4 vehicles, totaled an enclosed trailer and caused damage to our home's siding and roof. Our insurance covered the damage after we paid the deductible on all 5 vehicles and trailer. That was a tremendous amount of money. If we would have had a carport the hail would have damaged the carport. Think about your deductibles on your personal cars, how much would that have cost you? Scary isn't it? These carports are an inexpensive way to protect our vehicles. Plus the county gets to charge us taxes on them!

The need to criticize simply belies a longing for recognition, appreciation, and validation. None of which, however, can be obtained through criticism

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The ones that are already out there and put in place should not be taken down, because they were grandfather in , so to speak. On the news recently someone was told to tear down their carport in Kansas City, Ks. It looked nice and not trashy, and not an eyesore!

So what the point?! It should be an individual choice and not a government choice, city official choice. What about mowing the median isle up and down Parallel, from 5th St., to 110th St. What up with that?! Is city official and workers falling on the job? Isn't it time to mow. I have to keep my yard mow or I will get fine. So what is up with that. Carport I'm for. The other carports that are already built, leave them there. It is an individual choice. Leave it alone!