

# REQUEST FOR BOARD ACTION

## HENDERSON COUNTY

### BOARD OF COMMISSIONERS

**MEETING DATE:** 2 July 2007

**SUBJECT:** Text Amendment to Nuisance Ordinance

**ATTACHMENT(S):** Language of County Code §126-4, as proposed to be amended

#### **SUMMARY OF REQUEST:**

This text amendment is suggested to clarify Section 126-2.04 regarding outdoor storage. This text amendment arose from discussions by the Zoning Board of Adjustment. In these discussions, the ZBOA was unclear as to whether the first provision under the Outdoor Storage in regards to amount of outdoor storage and the location of this storage could be applied to business storage which was discussed in the following clause. The proposed text amendment clarifies that the first section applies only to residences and that there are no restrictions on business outdoor storage as long as the storage is related to the business.

County staff will be present and prepared if requested to give further information on this matter.

#### **BOARD ACTION REQUESTED:**

The Board is requested to discuss the proposed text amendment.

#### **Suggested Motion:**

*I move that the Board adopt the proposed Text Amendment to the Section 126 2.04 of the Henderson County Code.*

**DRAFT**

**§ 126-4. Outdoor storage.**

A. Outdoor storage **by a residence** shall not be allowed between any building and the right-of-way on the side of the property which is the front of the property for zoning purposes. Such storage shall not exceed one-third of the rear yard area, shall not be closer than 10 feet to the side lot lines or an alley and shall be at least 15 feet from any street. Use of land for outdoor storage of items not related to the property's use in relation to any zoning permit granted for the property shall not be permitted.

B. Outdoor storage by a business is allowed so long as a part of the business and in compliance with a valid zoning permit. **No restrictions regarding the amount of the property used for outdoor storage or the location of the outdoor storage on the property shall be applied to outdoor storage by a business as long as the storage is related to the validly zoned business.**