

Montgomery Planning and Zoning Commission  
**AGENDA REPORT**

<b>Meeting Date:</b> 02/04/2025	<b>Budgeted Amount:</b> NONE
<b>Department:</b> Administration	<b>Prepared By:</b> Corinne Tilley

**Subject**

Consideration and possible action on all-weather windscreens installed around the front porch at 14335 Liberty Street.

**Recommendation**

Staff recommends approval of the all-weather windscreens installed around the front porch, subject to the following conditions:

1. Submit building permit application for the existing windscreens, including all necessary documentation and fees (doubled for installation without permit), within seven (7) days of this approval.
2. The installed windscreens must be inspected by the Building Official to ensure they meet all safety and structural requirements. Any modifications required to bring the windscreens into compliance must be completed within seven (7) days.
3. If the windscreens cannot be brought into compliance, the property owner must remove them at their own expense within seven (7) days.
4. If the windscreens are brought into compliance, they can remain in place for a period not to exceed 75 days from January 8 (the first day of notification). After March 24, 2025, the windscreens must be promptly removed by the property owner.
5. Continued violations and non-compliance will result in cumulative remedies, including escalating fines and penalties. Civil action will be initiated against both the the property owner (Racehorse Investments LLC-14335 Liberty St Series) and the tenant (Krawfish Kai LLC). This could include lawsuits, injunctions, or other legal measures to enforce compliance and protect the community's interests.
6. You may appeal this decision within ten (10) days of this approval to the Board of Adjustments, which is the City of Montgomery City Council.

**Discussion**

14335 Liberty Street is located in the B-Commercial Zoning District and the Historic Preservation District.

The business owner (Krawfish Kai LLC) has installed all-weather windscreens at 14335 Liberty Street without prior approval from the Planning and Zoning Commission and without appropriate building permits.

Refer to the attached statement submitted by Krawfish Kai LLC.

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Although the windscreen is temporary, the open patio area is now enclosed, and the Building Official will need to address safety issues such as the installation, the temporary posts, occupancy and egress. Upon submitting plans, the Building Official will review them to ensure all safety standards are met and the structure is compliant.

**Code References:**

- Sec. 98-28. Certificate of Occupancy (to address the temporary enclosure)
- Sec. 98-347. Approval for alteration within historic preservation districts.
- Sec. 98-349. Permit application.
- Sec. 98-350. Criteria for approval. (adopted design guidelines)

For your reference, I have attached a copy of the Agenda Report and Meeting Minutes from March 5, 2024, detailing the consideration and subsequent denial of the installation of the temporary windcreens around the front porch.

<b>Approved By</b>		
City Secretary & Director of Administrative Services	Ruby Beaven	Date: 01/31/2025
Interim City Administrator & Police Chief	Anthony Solomon	Date: 01/31/2025