

**TITLE IV. LAND USE**

**CHAPTER 400: ZONING CODE**

**ARTICLE I. RESIDENTIAL**

**SECTION 400.010: DISTRICT "A" BOUNDARIES**

District "A" (Residential). In the Tulane Park Subdivision, all of Lots 1 through 13 inclusive in Block 1 and Lots 16 through 31 inclusive in Block 1 and all property in Block 2; and in the Tulane Park addition, Lots 18 through 29 inclusive in Block 2 and all property in Blocks 3, 4 and 5 as recorded in Book 34 Page 25 and in the Wilbur Terrace Subdivision, all property in Blocks 1, 2, 3 and 4 as recorded in Book 34, Page 33 on file with the St. Louis County Recorder of Deeds.

All of the above property named herein is situated in Section 14 of Township 44 North, Range 6 East in St. Louis County, Missouri and shall be zoned as set out in this Article. (Ord. No. 60 §1, 5-5-94)

**SECTION 400.020: DISTRICT REGULATIONS**

A. *Use Regulations.*

1. Single-family dwellings.

- a. *"Family"* is defined as: One (1) or more persons related by blood, marriage, adoption or other court or official State welfare agency action, occupying a dwelling unit as an individual housekeeping organization, including not more than one (1) additional person, not related to the family by blood or marriage, provided that such additional person may be provided with sleeping accommodations but not with kitchen facilities.
- b. *"Dwelling"* is defined as: Any building or portion thereof which is designed or used exclusively for residential purposes.
- c. *Use.* All properties in Zoning District "A" shall be used for single-family residence purposes only, and no lot, and no building thereon, shall hereafter be used directly or indirectly for business of any character other than a home business carried on by a member or members of the immediate family residing on the premises and not more than one (1) non-resident of the premises, in connection with which:
  - (1) There is kept no stock in trade;
  - (2) There is no commodity sold upon the premises;

- (3) The business is carried on wholly in the main building on the lot and not in any accessory structures; and
- (4) No mechanical equipment is used;

Except that which is normally used for domestic or household purposes, including standard office equipment; and in connection with which there is no sign or name plate; no display or activity whatever that will indicate from the exterior that any house covered by this indenture is being utilized in any manner or for any purpose other than that of a dwelling, and upon which premises no commercial vehicle shall be parked or stored except within a closed garage. No more than two (2) customers, patrons, students (for business purposes) or business callers of any kind may be on the premises at any time, and no more than twenty percent (20%) of the gross floor area of the premises may be used in association with any home business.

B. No building shall exceed one and one half (1½) stories or twenty-four (24) feet in height.

C. No fence shall be erected in front of the front building line.

D. *Area Regulations.*

1. Front yard.

a. There shall be a front yard having a depth of not less than thirty (30) feet.

2. Side yard.

a. There shall be a side yard on each side of building having a width of not less than three (3) feet.

3. Rear yard.

a. There shall be a rear yard having a depth of not less than twenty-five (25) feet or twenty percent (20%) of the depth of the lot whichever is greater.

4. No structure shall be permitted within three (3) feet of the street on any corner lot.

5. No structure shall be moved on to any lot unless it shall conform to and be in harmony with existing structures in the tract.

E. *Intensity Of Use.*

1. Every lot area shall have an area of not less than five thousand (5,000) square feet.

2. No building shall have an area of less than eight hundred (800) square feet exclusive of the porches and garages and shall not exceed one-third (⅓) of the lot area exclusive of porches and garages.

3. Every residential building shall provide no less than seventy (70) square feet per bedroom occupied by one (1) person, and no less than fifty (50) square feet per person for bedrooms occupied by more than one person.

4. No lot shall be less than forty (40) feet wide.
5. No garage shall be larger than to accommodate two (2) automobiles. (Ord. No. 60 §1, 5-5-94)

**ARTICLE II. LOCAL BUSINESS****SECTION 400.030: DISTRICT "B" BOUNDARIES**

District "B" (Local Business). District "B" shall consist of Lots 14 and 15 in Block 1 of Tulane Park Subdivision, as recorded in Book 34 Page 25 on file with the St. Louis County Recorder of Deeds, and shall be known and described as "business lots". (Ord. No. 60 §2, 5-5-94)

**SECTION 400.040: DISTRICT REGULATIONS**

A. *Use Regulations.* A building or premises shall be used only for the following purposes:

1. Any use permitted in District "A".
2. Bakery
3. Confectionery.
4. Barber shop or beauty shop.
5. Office
6. Delicatessen.
7. Restaurant, not to exceed sixteen (16) tables of two (2) or four (4) places, with hours not to exceed 6:30 A.M. to 8:30 P.M., prohibited from serving alcohol and prohibited from allowing dancing of any kind.

B. *Parking And Loading Regulations.*

1. All commercial buildings shall be provided with parking spaces upon the lot in the ratio of not less than three (3) spaces for each three hundred (300) square feet of floor space in the building which is used for commercial purposes.

C. *Height Regulations.*

1. No building shall exceed two (2) stories or thirty (30) feet in height.

D. *Area Regulations.*

1. Front yard. (Same as those in Single-Family District "A").
2. Side yard. (Same as those in Single-Family District "A").
3. Rear yard. (Same as those in Single-Family District "A").
4. No structure shall be permitted within three (3) feet of the street line on any corner lot.

E. *Intensity Of Use.*

1. Same as those in Single-Family District "A". (Ord. No. 60 §2, 5-5-94; Ord. No. 003-001 §1, 2-25-03; Ord. No. 005-004 §1, 7-12-05)

### **ARTICLE III. POWERS OF BOARD OF TRUSTEES**

#### **SECTION 400.050: POWERS AND LIMITATIONS OF BOARD OF TRUSTEES) HEARINGS, NOTICE**

The Board of Trustees shall provide for the manner in which such regulations and restrictions and the boundaries of such districts shall be determined, established, and enforced, and from time to time amended, supplemented, or changed. However, no such regulation, restriction, or boundary shall become effective until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. At least fifteen (15) days' notice of the time and place of such hearing shall be published in an official paper or a paper of general circulation in such municipality.

### **ARTICLE IV. BOARD OF ADJUSTMENT**

#### **SECTION 400.060: BOARD OF ADJUSTMENT) APPOINTMENT) TERM) VACANCIES) ORGANIZATION**

The Board of Trustees shall provide for the appointment of a Board of Adjustment, and in the regulations and restrictions adopted pursuant to the authority of Sections 89.010 to 89.140, RSMo., may provide that the Board of Adjustment may determine and vary their application in harmony with their general purpose and intent and in accordance with general or specific rules therein contained. The Board of Adjustment shall consist of five (5) members, who shall be residents of the Village. The membership of the first Board appointed shall serve respectively, one (1) for one (1) year, one (1) for two (2) years, one (1) for three (3) years, one (1) for four (4) years, and one (1) for five (5) years. Thereafter members shall be appointed for terms of five (5) years each. Three (3) alternate members may be appointed to serve in the absence of or the disqualification of the regular members. All members and alternates shall be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. The Board shall elect its own Chairman who shall serve for one (1) year. The Board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to Sections 89.010 to 89.140, RSMo. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. Such Chairman, or in his/her absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon question, or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record. All testimony, objections thereto and rulings thereon, shall be taken down by a reporter employed by the Board for that purpose.

## **ARTICLE V. PENALTIES**

### **SECTION 400.070: VIOLATIONS)PENALTIES**

- A. In case any building or structure is erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is used in violation of Sections 89.010 to 89.140,



RSMo., or of any ordinance or other regulation made under authority conferred hereby, the proper local authorities of the municipality, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, to restrain, correct, or abate such violation, to prevent the occupancy of such building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about such premises. Such regulations shall be enforced by an officer empowered to cause any building, structure, place or premises to be inspected and examined and to order in writing the remedying of any condition found to exist therein or thereat in violation of any provision of the regulations made under authority of Sections 89.010 to 89.140, RSMo.

- B. The owner or general agent of a building or premises where a violation of any provision of said regulations has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the owner, general agent, lessee or tenant of any part of the building or premises in which such violation has been committed or shall exist, or the general agent, architect, builder, contractor or any other person who commits, takes part or assists in any such violation or who maintains any building or premises in which any such violation shall exist shall be guilty of a misdemeanor punishable by a fine of not less than ten dollars (\$10.00) and not more than one hundred dollars (\$100.00) for each and every day that such violation continues, but if the offense be willful on conviction thereof, the punishment shall be a fine of not less than one hundred dollars (\$100.00) or more than two hundred fifty dollars (\$250.00) for each and every day that such violation shall continue or by imprisonment for ten days for each and every day such violation shall continue or by both such fine and imprisonment in the discretion of the court.
- C. Any such person who having been served with an order to remove any such violation shall fail to comply with such order within ten days after such service or shall continue to violate any provision of the regulations made under authority of Sections 89.010 to 89.140, RSMo., in the respect named in such order shall also be subject to a civil penalty of two hundred fifty dollars (\$250.00).

