





**Planning and Zoning Basics
Educational Series**

Provided By: Department of Community Development




OCT. 28, 2015
(Wed.)

Topic: Comprehensive Plans

NOV. 17, 2015
(Tue.)

Topic: Planning and Zoning Overview

JAN. 27, 2016
(Wed.)

Topic: Conditional Use Permits; Site Plan Review

FEB. 24, 2016
(Wed.)

Topic: Zoning Map Amendments (Rezoning);
including PD—Planned Development District

MAR. 23, 2016
(Wed.)

Topic: Zoning/Subdivision Code Text Amendments; Subdivision Process

Apr. 27, 2016
(Wed.)

Topic: Zoning Variances; Historic Preservation Review

- **FREE, NO RSVP REQUIRED!**
- **Open to PUBLIC and Anyone Interested!**
- **Time: 5:30pm—6:15pm**
- **Location: Heman Park Community Center (975 Pennsylvania Ave.)**
- **For more information, please contact: Zach Greatens, Planner / Zoning Administrator, (Department of Community Development), (314)505-8501, zgreatens@ucitymo.org**



Planning and Zoning Basics
Educational Series

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Neighborhood
to the World

University City



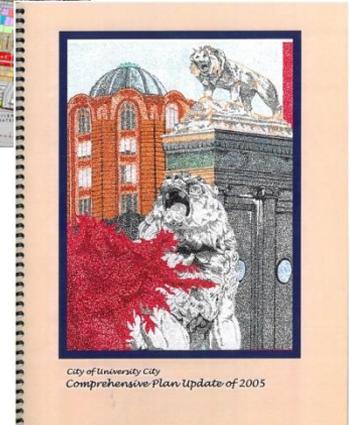
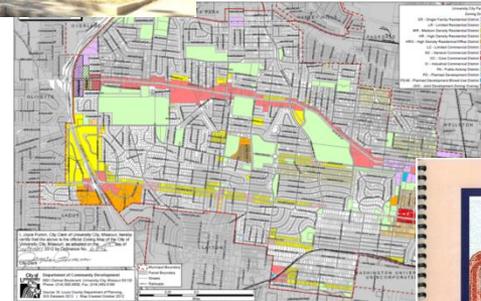
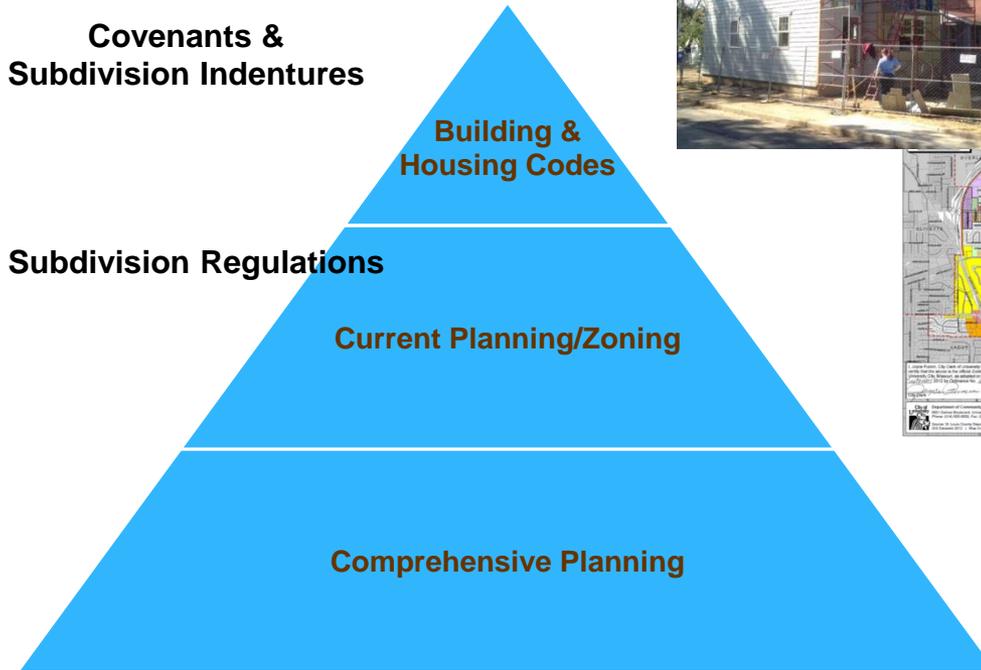
Session #6 – Zoning Variances; Historic Preservation Commission Review

April 27, 2016

Planning & Codes



Functional Relationship



All work together to improve quality of life in a community

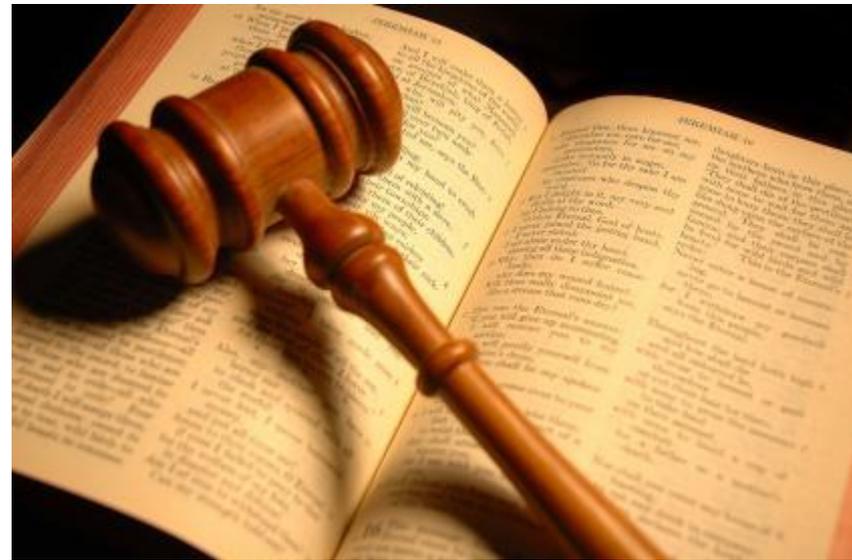
Comprehensive Plan is...

- * **Not** An Ordinance Or Law
- * A Vision
- * A Policy Document – guide future growth / decisions about land use, infrastructure, parks, services, economic development, and other aspects
- * Cooperative and Collaborative Effort to shape a community's long-term growth



How is zoning implemented?

- * Zoning Ordinance (laws regulating land use)
- * Two parts: map and text
- * Zoning Map: depicts how community is divided into districts
- * Zoning Text serves two functions:
 - * Regulations
 - * Procedures



IMPLEMENTATION OF THE ZONING ORDINANCE – WHO'S INVOLVED?

(ADMINISTRATIVE)

(ADVISORY)

(LEGISLATIVE)

ENFORCEMENT, INSPECTIONS, PERMIT REVIEW

STAFF

MAP AMENDMENTS (REZONING) AND TEXT AMENDMENTS

STAFF

PLAN COMMISSION

CITY COUNCIL

CONDITIONAL / SPECIAL USE PERMIT

STAFF

PLAN COMMISSION

CITY COUNCIL

(QUASI-JUDICIAL)

VARIANCES AND APPEALS

STAFF

BOARD OF
ADJUSTMENT

Planned Development District



Text Amendments

- * Recent Examples
 - * Parking
 - * Multi-family residential zoning districts
 - * Signs

Subdivisions

- * Division or re-division of land
- * Consolidation of land
- * Adjustment of boundaries
- * Dedication or establishment of street, alley, easement
- * Major vs. Minor Subdivision



Review and Approval

- * Major vs. Minor Subdivision
- * Major – Requires sketch plat, preliminary plat and final plat
 - * Creation of more than four lots
 - * Greater than two acres
 - * Proposed public streets, alleys, easements, parks, public lands
 - * Rezoning required for all or portion
- * Minor
 - * Does not have any characteristics of major subdivision
 - * Sketch plat and preliminary plat not required

Land Development Standards

- * General policy / compliance
- * Streets
- * Sidewalks
- * Lots
- * Easements
- * Utilities
- * Lighting



TEASDALE AVE

MAPLEVIEW DR

OLD BONHOMME RD

LAFON PL

PRIVATE RD

GAY AVE

312

8050

8044

N FORSYTH BLVD

WEST DR

Clayton Gardens No. 3 prior to re-subdivision in December 2001

CRANDON DR

KINGSBURY BLVD



TEASDALE AVE

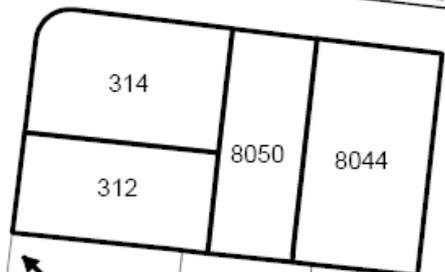
MAPLEVIEW DR

OLD BONHOMME RD

LAFON PL

PRIVATE RD

GAY AVE



N FORSYTH BLVD

WEST DR

Clayton Gardens No. 3 after
re-subdivision in December 2001

KINGSBURY BLVD

Re-subdivision also known as Slavin's Subdivision

CRANDON DR



DELCREST DR

OLD BONHOMME RD

MAPLEVIEW DR

WESTVIEW DR

TEASDALE AVE

University View Subdivision, Block 5,
prior to being re-subdivided in April 2007



531

527

519

511



DELCREST DR

OLD BONHOMME RD

MAPEVIEW DR

WESTVIEW DR

TEASDALE AVE

Same tract of land in
University View Subdivision, Block 5,
after being re-subdivided in April 2007

3 lots now called Westview Drive
Manor Subdivision

531

527

523

519

511



Board of Adjustment

- * Makes decisions on variance requests and appeals
- * Appointed by governing body (City Council)
- * Acts in “quasi-judicial” capacity
 - * Decision is final
 - * Subject to appeal in local court system
- * Decisions must be made on specific factual evidence, i.e. “hardship”
 - * Written findings of fact to support decision
- * Missouri Revised Statutes

Variations

- * Cannot anticipate all circumstances
- * Could apply to all properties in City – each property is unique in size, shape, topography, etc.
- * Strict application/enforcement of zoning regulations may create unnecessary hardship or practical difficulty for property owner
- * Variance process established to deal with these situations

Variations

- * Site-specific modification of zoning regulations
 - * Granting relief when there are practical difficulties or unnecessary hardship in carrying out strict letter of zoning ordinance
 - * Public hearing and notification of nearby property owners required

Types of Variances

- * Area – e.g. yard/height requirements
 - * Also includes variances from sign and/or parking standards, landscaping requirements, etc.
 - * Example – not possible to position building on pie-shaped lot and meet all setbacks, variance might be approved to reduce setback requirements
- * Use
 - * Authorize use not permitted by zoning ordinance
 - * Bad practice – most governments avoid them

Decisions on Variances

- * Property owner must demonstrate that compliance with zoning ordinance = cannot make reasonable use of land
- * Hardship must not be result of applicant's own actions
- * Conditions arise from particular characteristics of property, not from personal circumstances of property owner (convenience, financial gain)

Decisions on Variances cont'd....

- * Applicant must persuade BOA that request satisfies standards for granting variances
- * If granted, would be compatible with, or at least not harm, surrounding area
- * Must be in harmony with general purpose and intent of the zoning ordinance
- * BOA has authority to impose conditions on variance request to mitigate impact

Standards for Granting Variances

From University City Zoning Ordinance...

- * Condition unique to property, not ordinarily found in same zoning district, not created by action of property owner
- * Strict application of zoning will constitute unnecessary hardship
- * If approved, will not adversely affect adjacent properties
- * If approved, will not violate general spirit/intent of zoning ordinance

Hardship

- * Physical surroundings
- * Shape or topography of lot
- * Cannot be based on desire to secure greater financial return (economic hardship)
- * Hardship \neq inconvenience



4 GARAGE FRONT ELEVATION
1/4" = 1'-0"



2 GARAGE RIGHT SIDE ELEVATION
1/4" = 1'-0"



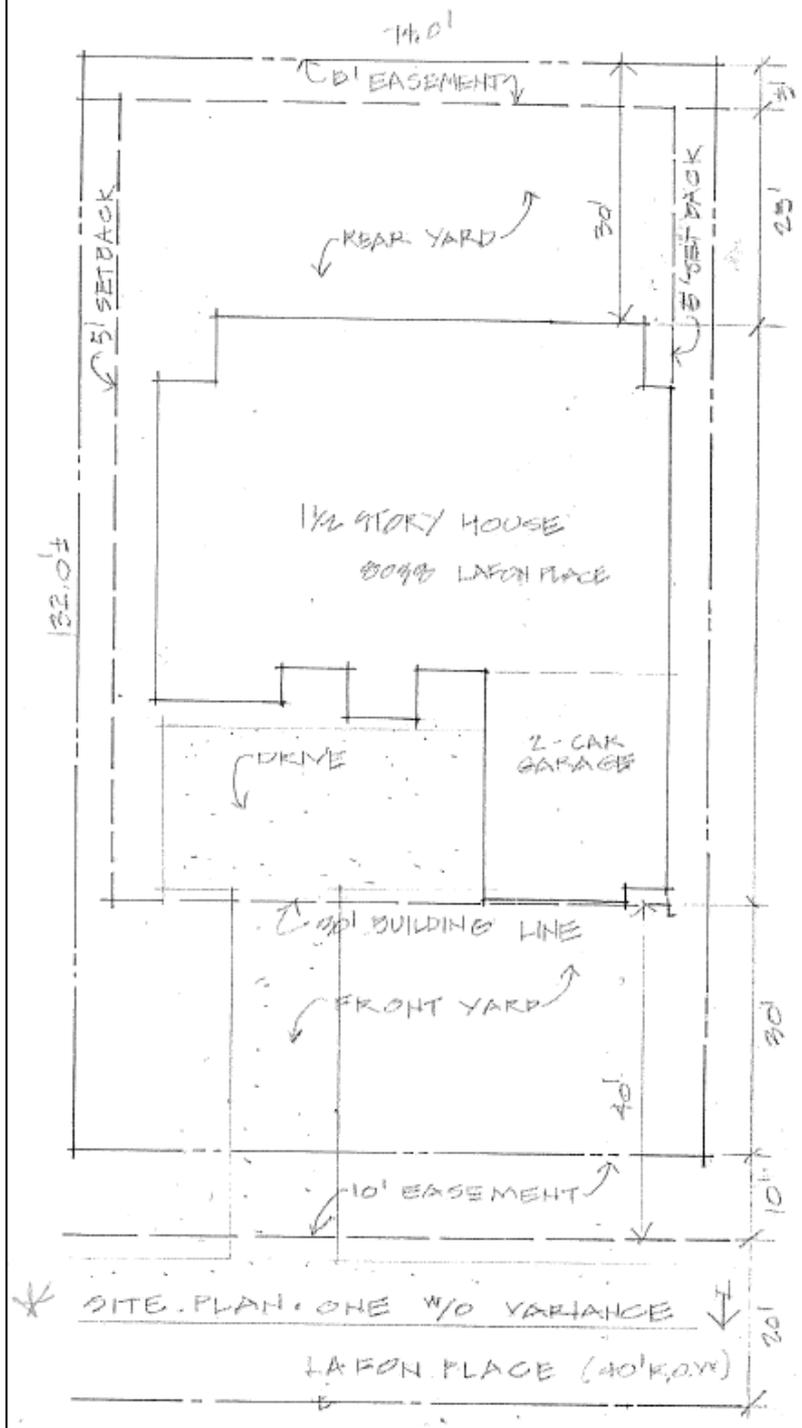
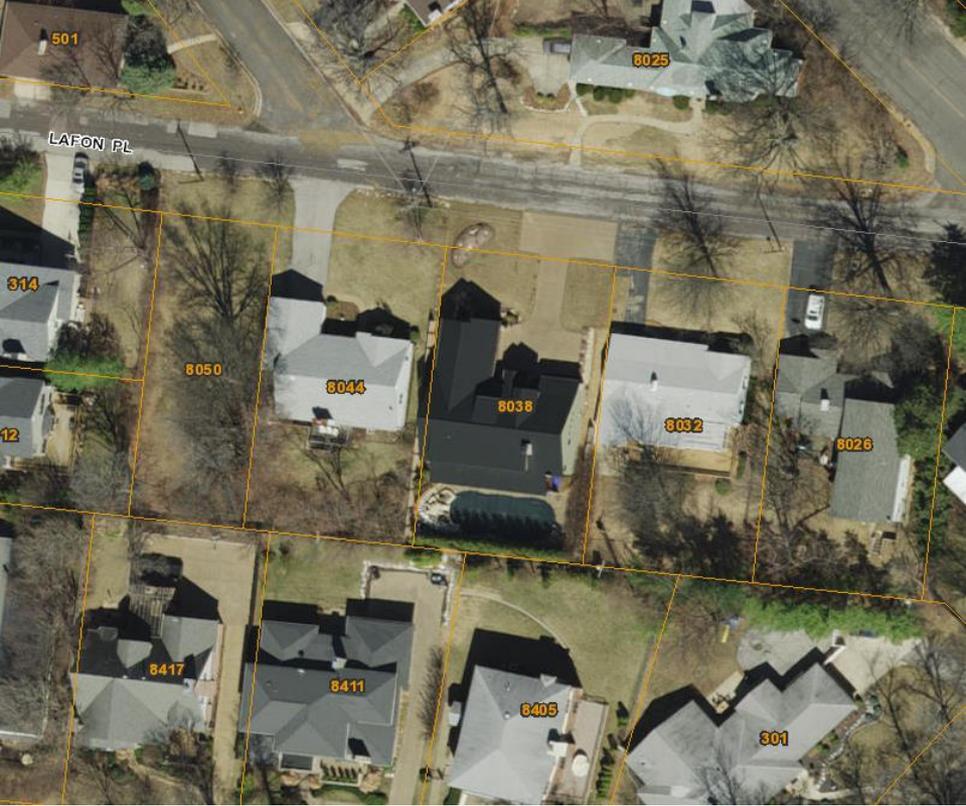


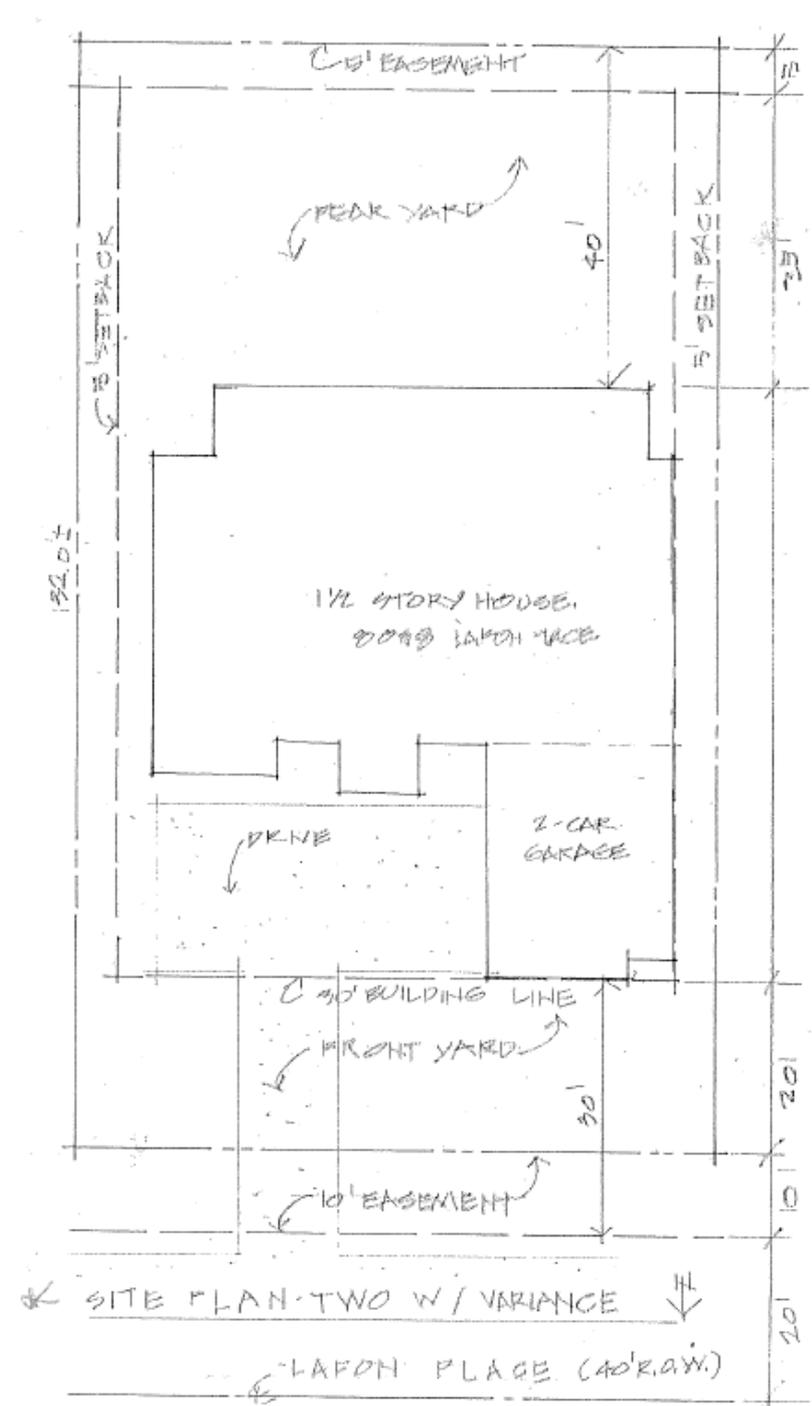
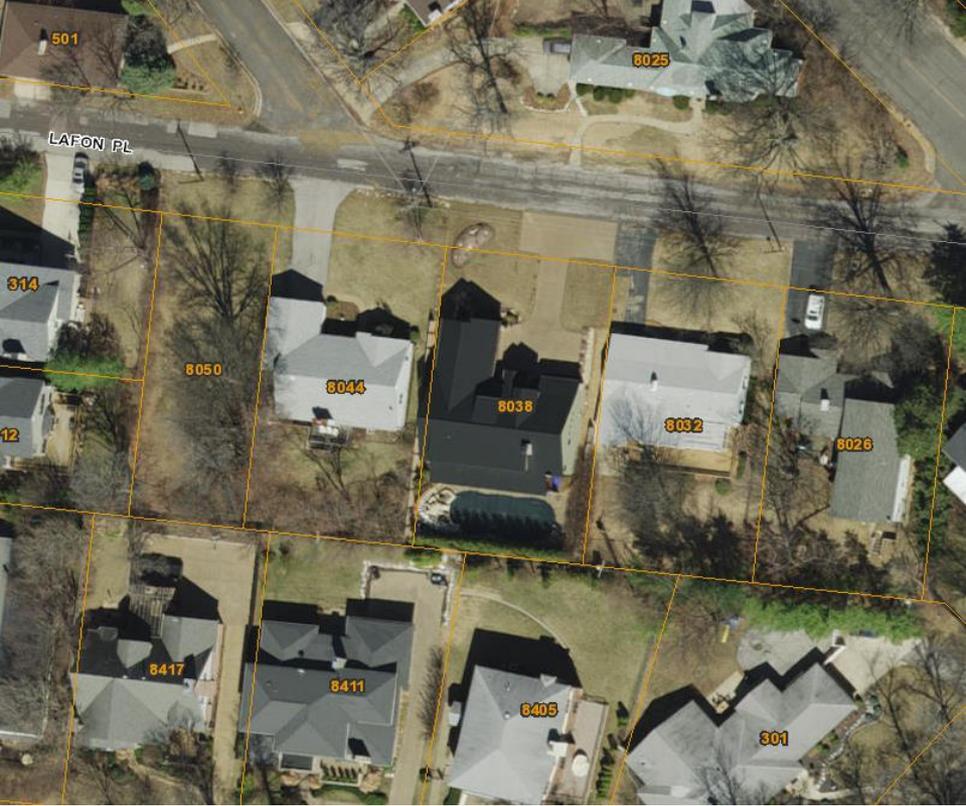
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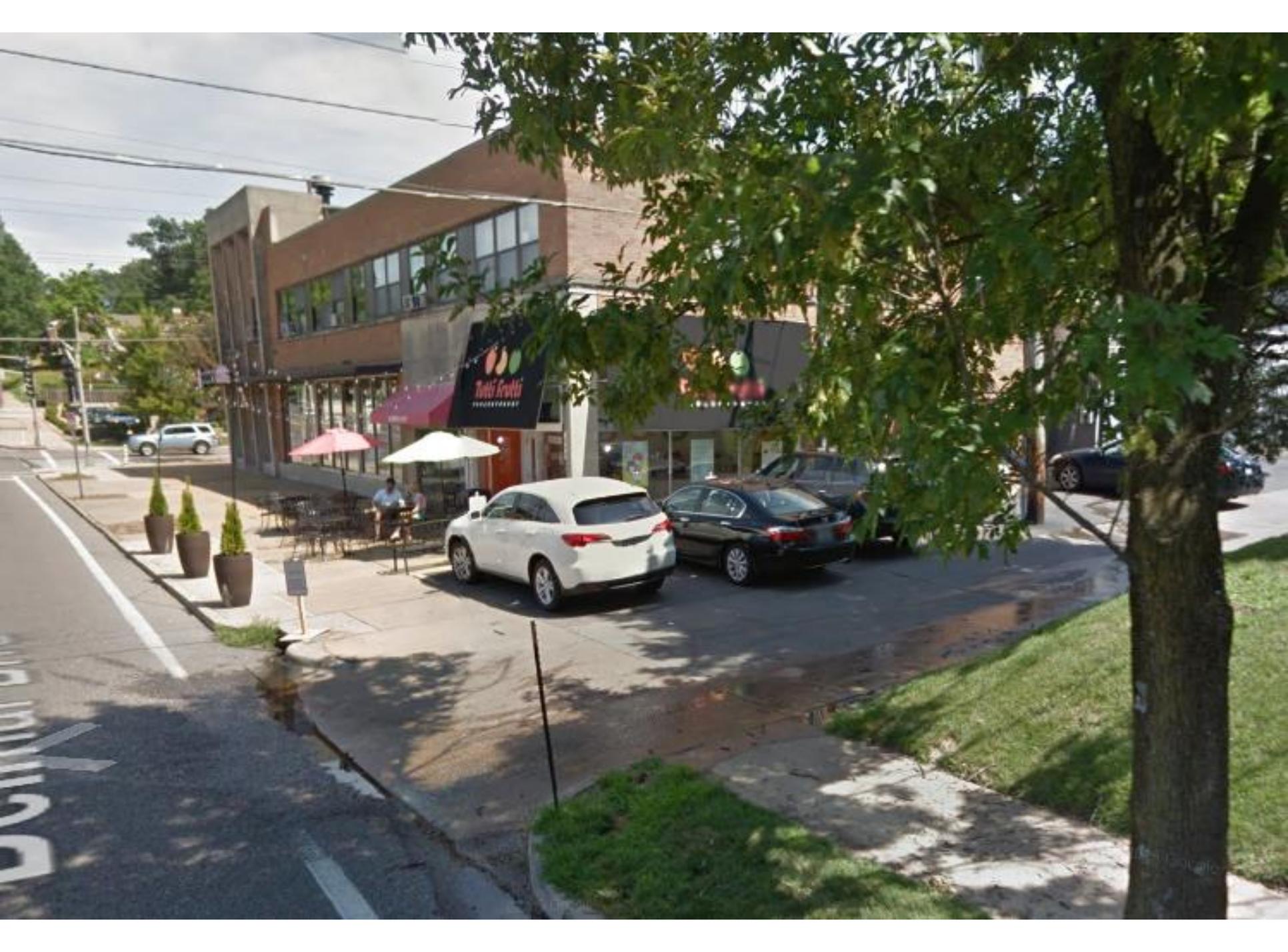


2 GARAGE RIGHT SIDE ELEVATION
1/4" = 1'-0"









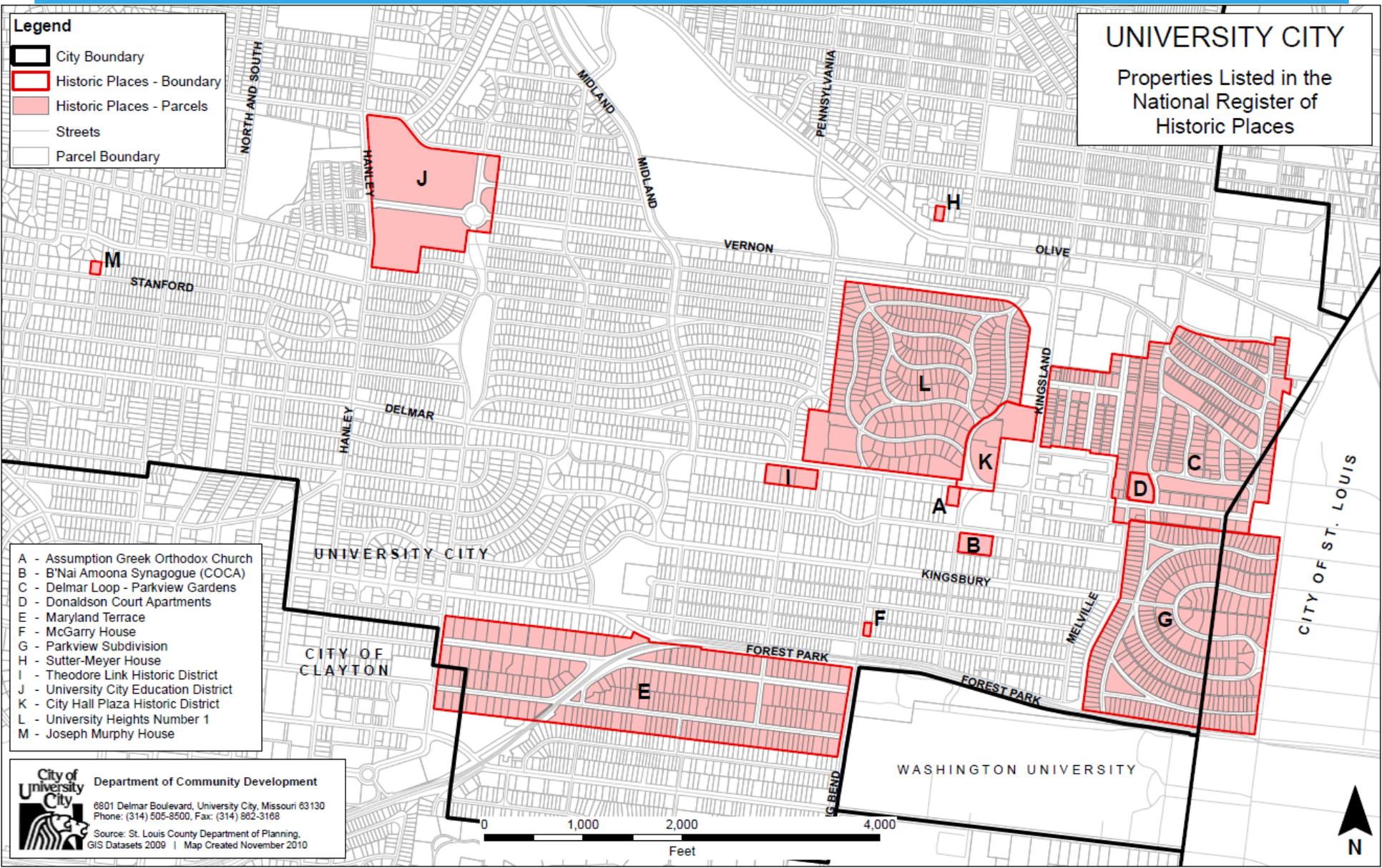
Appeals

- * Interpretation of zoning ordinance
 - * Court-like proceedings
 - * Appeal of zoning enforcement officer's decision when alleged misinterpretation / misapplication
 - * BOA reviews facts and determines proper meaning of zoning
 - * Public Hearing and notification of nearby property owners required

Historic Preservation Commission

- * History...
 - * Created in 1981
 - * Purpose – assure preservation of historic landmarks and districts
- * Certified Local Government (CLG) Program
 - * Jointly administered by National Park Service (NPS) and State Historic Preservation Office (SHPO)
 - * Agreement with State
 - * Opportunities for grants and technical assistance

National Register Districts

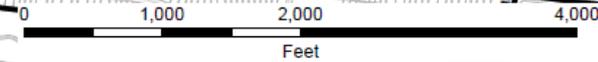


UNIVERSITY CITY
Properties Listed in the National Register of Historic Places

- Legend**
- City Boundary
 - Historic Places - Boundary
 - Historic Places - Parcels
 - Streets
 - Parcel Boundary

- A - Assumption Greek Orthodox Church
- B - B'Nai Amoona Synagogue (COCA)
- C - Delmar Loop - Parkview Gardens
- D - Donaldson Court Apartments
- E - Maryland Terrace
- F - McGarry House
- G - Parkview Subdivision
- H - Sutter-Meyer House
- I - Theodore Link Historic District
- J - University City Education District
- K - City Hall Plaza Historic District
- L - University Heights Number 1
- M - Joseph Murphy House

City of University City
Department of Community Development
8801 Delmar Boulevard, University City, Missouri 63130
Phone: (314) 505-8500, Fax: (314) 982-3168
Source: St. Louis County Department of Planning, GIS Datasets 2009 | Map Created November 2010



Local Historic Districts

UNIVERSITY CITY Designated Local Historic Districts and Landmarks

* District Standards are listed in Article 6 of the University City Zoning Code

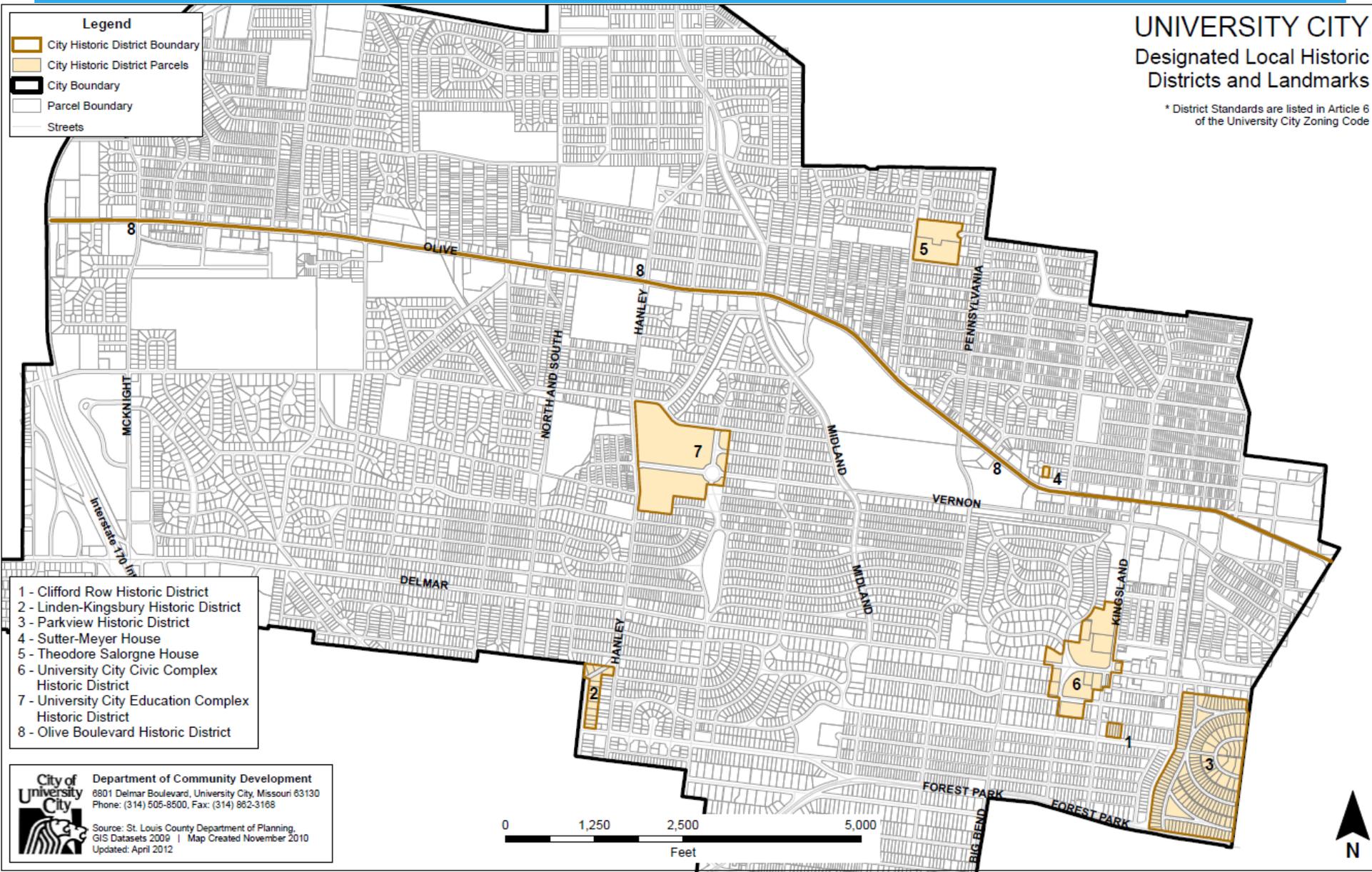
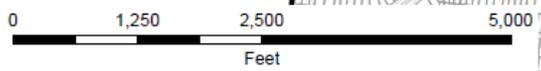
Legend

-  City Historic District Boundary
-  City Historic District Parcels
-  City Boundary
-  Parcel Boundary
-  Streets

- 1 - Clifford Row Historic District
- 2 - Linden-Kingsbury Historic District
- 3 - Parkview Historic District
- 4 - Sutter-Meyer House
- 5 - Theodore Salorgne House
- 6 - University City Civic Complex Historic District
- 7 - University City Education Complex Historic District
- 8 - Olive Boulevard Historic District

City of University City Department of Community Development
 6801 Delmar Boulevard, University City, Missouri 63130
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Source: St. Louis County Department of Planning, GIS Datasets 2009 | Map Created November 2010
 Updated: April 2012



Historic Preservation Commission

- * Role of Historic Preservation Commission
 - * Established in zoning ordinance
 - * Review projects in Historic Districts
 - * Compliance with regulations and standards
 - * Advisory capacity to City staff (Community Development)

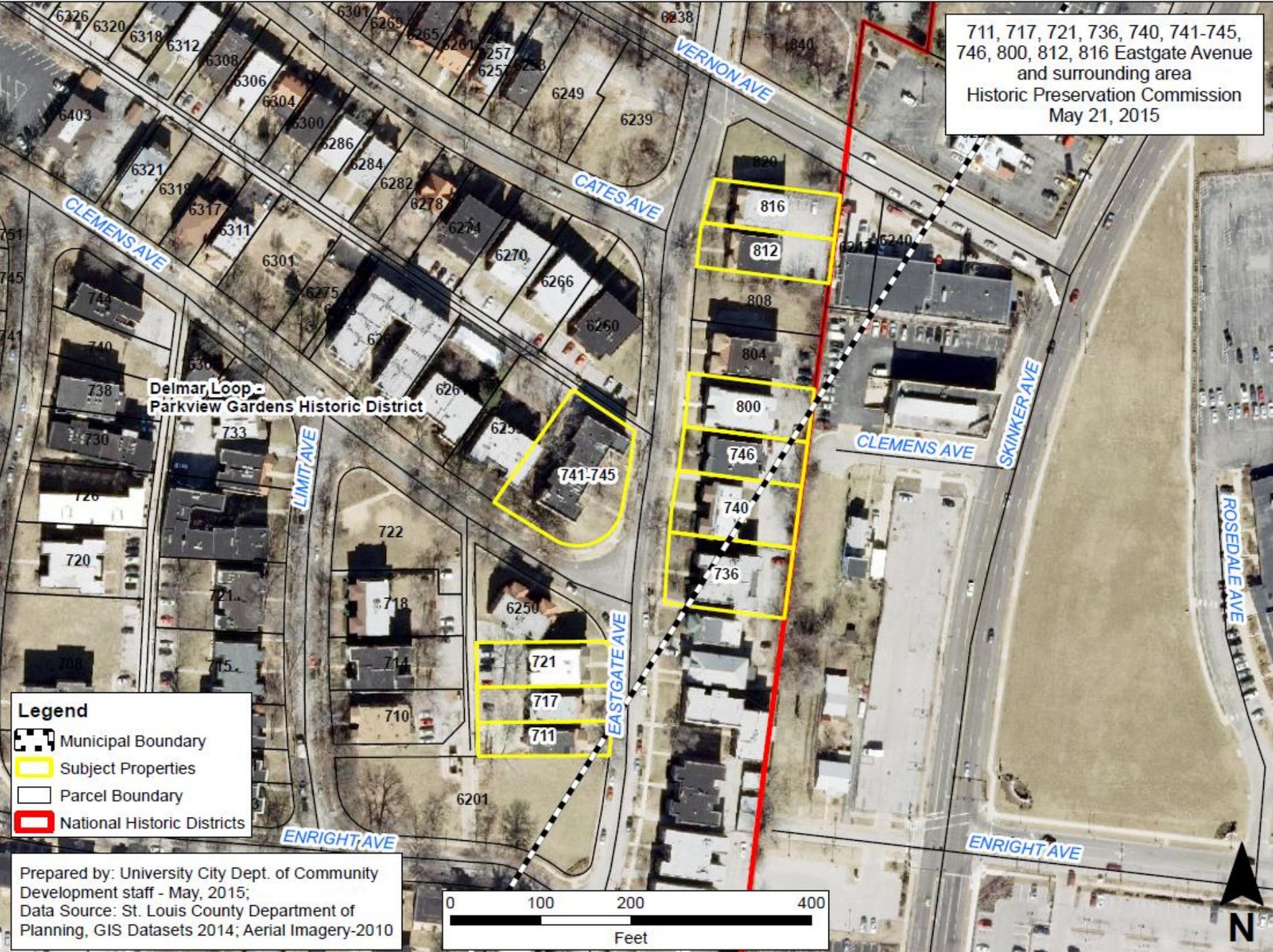
Jackson Park School Addition



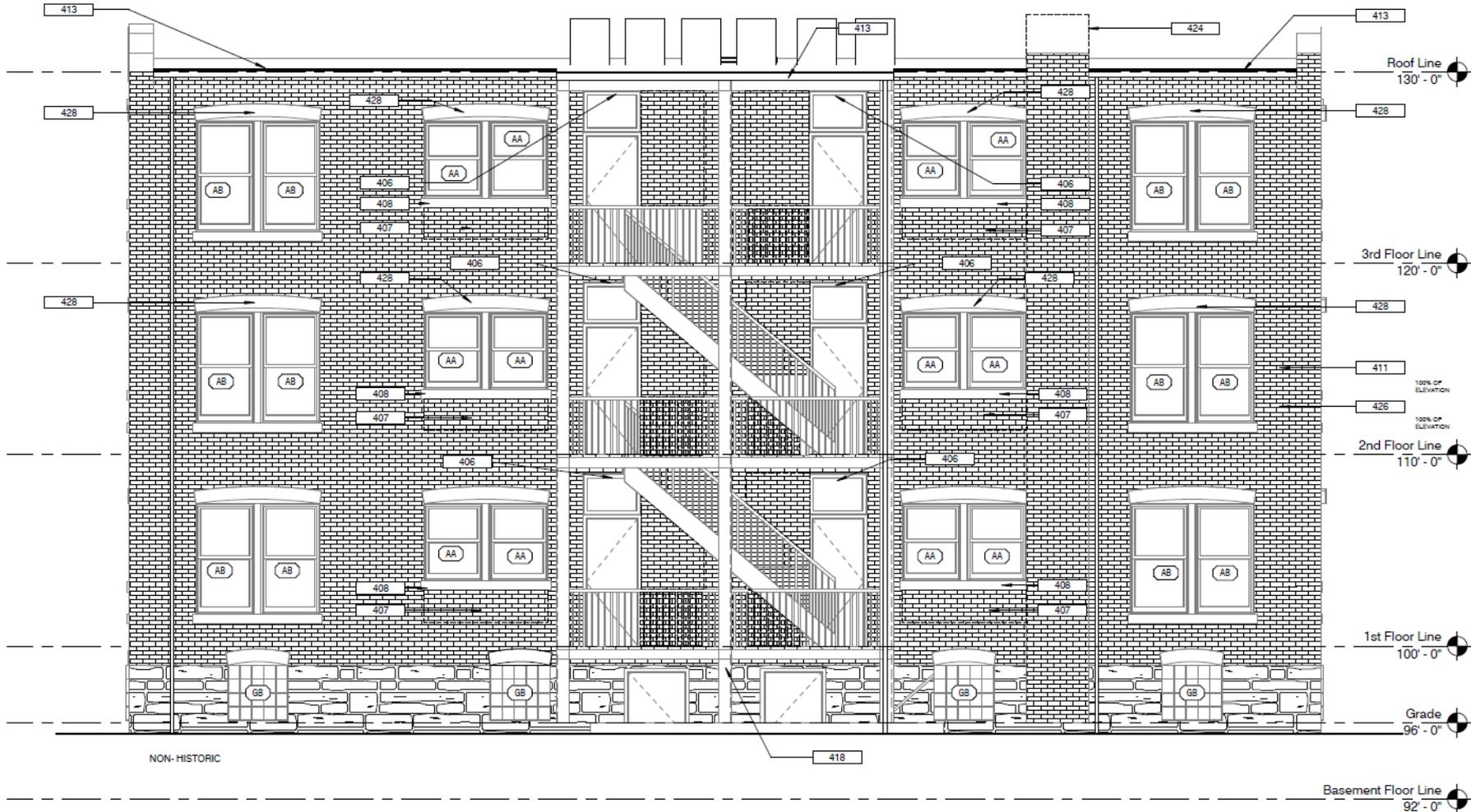
U City High School Addition



711, 717, 721, 736, 740, 741-745,
746, 800, 812, 816 Eastgate Avenue
and surrounding area
Historic Preservation Commission
May 21, 2015



Parkview Gardens Renovations



NON-HISTORIC

418

Basement Floor Line
92'-0"

Clifford Row Historic District



KINGS

PRIVATE RD

KINGSBURY BLVD

6672

6666

6660

6654

6652

6648

517

6803

6679

6675

6671

6669

6665

6663

6659

6655

6651