

Substitute Bill No. 4561

Ordinance No. 18-009

Requested by: Dave Hammond, Mike Klinghammer, Joe Brazil

Sponsored by: Dave Hammond, Mike Klinghammer, Joe Brazil

AN ORDINANCE ENACTING NEW SECTION 405.416 OF THE ORDINANCES OF ST. CHARLES COUNTY MISSOURI, THE UNIFIED DEVELOPMENT ORDINANCE, TO PROVIDE SETBACK REQUIREMENTS FOR NEW BUILDINGS IN AREAS WITH LOTS PLATTED PRIOR TO THE INCEPTION OF THE COUNTY ZONING REGULATIONS.

WHEREAS, Art. II, Section 2.514 of the St. Charles County Charter authorizes the County Council to "license, tax, and regulate all businesses, occupations, professions, vocations, activities or things whatsoever set forth and enumerated by the Constitution or by Applicable Law" within the unincorporated areas of the County and also within incorporated areas of the County with the consent of their governing bodies; and

WHEREAS, Article II, Section 2.529 of the St. Charles County Charter provides that the Council may exercise legislative power pertaining to public health and welfare, police and traffic, building construction, and planning and zoning, in the part of the County outside incorporated cities, towns, and villages, and on such other subjects as may be authorized by the Constitution or by applicable law; and

WHEREAS, St. Charles County has adopted zoning regulations in Chapter 405 OSCCMo; and

WHEREAS, the County Council finds that it is in the public interest to amend the regulations of Chapter 405, and enact Section 405.416 OSCCMo, as provided herein to establish setbacks for new structures in areas with lots platted prior to the inception of County Zoning Regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Section 405.416 OSCCMO, is hereby enacted as follows (added text in **bold type**, deleted text in [~~bracketed and stricken type~~]).

**Section 405.416 *Setback Requirements for New Buildings in Areas Platted Prior to County Zoning Regulations.* In areas with lots platted prior to the inception of County Zoning Regulations by Order of the St. Charles County Court on November 2, 1959, a new building shall be subject to the minimum setback requirements equal to the setback distances of the closest legal pre-existing building.**

Section 2. Except as provided in Section 3, below, this ordinance shall be in full force and effect from and after the date of its passage and approval.

Section 3. This ordinance is subject to penalty provisions for its violation and therefore, for penal purposes, shall be effective thirty-one (31) days after its posting in six public places, its publication in full on the web site of St. Charles County, and the publication of its title and the location in St. Charles County where it may be viewed in its entirety in a legal publication or a



newspaper of general circulation in St. Charles County.

January 29, 2018  
DATE PASSED

February 1, 2018  
DATE APPROVED BY COUNTY EXECUTIVE

Dave Hammond  
CHAIR OF THE COUNCIL

[Signature]  
COUNTY EXECUTIVE

ATTEST:

[Signature]  
COUNTY REGISTRAR