

PROPOSED ZONING REGULATIONS
FOR MONROE COUNTY - AUGUST 13, 1975
(As Amended 12-19-83 & 05-16-05)

SECTION 100.0 TITLE

101.0 This County Court Order shall be known as the Zoning Regulations of Monroe County, Missouri.

SECTION 200.0 AUTHORITY

201.0 The Zoning Regulations of Monroe County, Missouri is authorized and is in compliance with Chapter 64 of the Revised Statutes of the State of Missouri.

SECTION 300.0 PROCEDURE TO FOLLOW

301.0 The procedure for residents, prospective developers, and other interested parties to follow in matters pertaining to constructing new buildings, additions to existing buildings or changing land used within the unincorporated areas of Monroe County, Missouri shall be as follows:

1. Personally contact the Administrative Officer. (Appointed by the County Court)
2. Have a legal description of the property in question.
3. Have a sketch of the property showing how proposed use will be situated on property.
4. Describe proposed use.
5. If use does not conform to permitted used, the applicant may make a request to the County Court for a zoning District change.
6. If use does not conform to minimum lot or yard standards, the applicant may make an application for a modification of the requirements to the Board of Adjustment.
7. Upon receiving a change in the Zoning District or a modification of the lot or width standards, go through Steps 1, 2, 3, 4, 5, and 6.

SECTION 400.0 ESTABLISHMENT OF ZONING DISTRICTS

401.0 Monroe County is hereby classified into 6 districts:

| | |
|------|-------------------|
| A-1, | Agricultural |
| R-1, | Residential |
| R-2, | Mobile Home Parks |
| C-1, | Commercial |
| C-2, | Heavy Commercial |
| M-1, | Industrial |
| FP, | Flood Plain |

402.0 Additional districts may be added from time to time upon the recommendation of the County Planning and Zoning Commission to the County Court. This may be initiated by either the Commission or interested parties.

403.0 The Zoning Districts referred to in these Regulations are designed on the Official Zoning District Map of Monroe County and become a part of these Regulations.

404.0 The Zoning Districts appearing on the Official Zoning District Map of Monroe County shall follow road centerlines, stream or river centerlines, sectionlines or be clearly noted in feet on the Official Zoning District Map from the above lines with other necessary dimensions for a clear interpretation of the boundary lines.

405.0 The Zoning District Map of Monroe County shall be kept on file with the County Clerk and changes shall be clearly shown on this map when officially adopted by the County Court.

SECTION 500.0 AGRICULTURAL DISTRICTS

510.0 A-1, Agricultural District

511.0 Permitted uses, lot size and yard area

| | <u>Permitted Use</u> | <u>Min. Lot Size</u> | <u>Min. Yard Area</u> |
|-----|---------------------------------------------------------------|--------------------------------|-------------------------------------------------------|
| 1. | <u>Raising crops</u> | <u>none</u> | <u>none</u> |
| 2. | <u>Raising livestock</u> | <u>none</u> | <u>none</u> |
| 3. | <u>Livestock sewage lagoon</u> | <u>800' from Res. District</u> | <u>none</u> |
| 4. | <u>Livestock feed lot</u> | <u>400' from Res. District</u> | <u>none</u> |
| 5. | Farm Dwelling plus one other dwelling per <u>farmstead***</u> | <u>none</u> | front: none* side: none rear: <u>none</u> |
| 6. | Churches and related <u>religious buildings</u> | <u>none</u> | front: 80 ft** side: none rear: <u>none</u> |
| 7. | Non-commercial park & <u>recreational areas</u> | <u>none</u> | front: 80 ft** side: none rear: <u>none</u> |
| 8. | <u>Cemetaries</u> | <u>none</u> | <u>none</u> |
| 9. | Nurseries & greenhouses sales of products raised on premises | <u>none</u> | front: 80 ft** side: none rear: <u>none</u> |
| 10. | <u>Country Clubs</u> | <u>none</u> | <u>none</u> |
| 11. | Country Club <u>buildings</u> | <u>none</u> | front: 80 ft** side: none** rear: <u>none**</u> |

* A minimum front yard of 60 ft. shall be required for all farm buildings fronting upon a road designated as a Major Highway on the adopted County Major Highway Plan.

** The yard distances are measured from the edge of properties and/or right-of-way lines. If use adjoins a residential district, then the same front, side and rear yard areas shall be required as in the Residential District.

*** A farmstead is defined as a single tract of land according to the abstract owned by a person or group of people at the time these Regulations become law.

512.0 The following land used may be permitted in the A-1, Agricultural District upon the favorable recommendation of the County Planning and Zoning Commission and approval of the County Court: landfills, billboards, oil drilling, quarry operations, educational buildings and uses, airports or landing strips or salvage yards.

513.0 The County Planning and Zoning Commission shall

recommend to the County Court that the proposed use or expansion of an existing use will not adversely affect the character of the area, adversely affect traffic, place undue restraint on utilities or conflict with future plans of the area.

SECTION 600.0 RESIDENTIAL DISTRICTS

| | | | |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| 610.0 | R-1, Residential District | | |
| 611.1 | Permitted uses and Requirements | | |
| | <u>Permitted Use</u> | <u>Min. Lot Area</u> | <u>Min. Yard Area</u> |
| 611.1 | One-family | A. One to nine lots of one or more acres with at least 150 ft. lot width at the front of the lot. B. One single family-type residential building per parcel. Minimum size: 800 square feet. Additional structures: Other buildings not to exceed 5,000 square feet at ground level. No building shall be more than 35 feet in height. All construction shall be completed within 24 months of the commencement of such construction. C. No further subdivision of parcels. | * |
| | <u>Dwelling</u> | | |
| 611.2 | Public or private educational institutions | Elementary -5 acres Junior High- 10 acres <u>Senior High-30 acres</u> | * - - |
| 611.3 | Churches and related religious buildings | <u>None</u> | * - |
| 611.4 | Single Mobile Home | 14,520 sq. ft. with at least 150 ft. lot width <u>at the front of lot.</u> | * - |
| 611.5 | Accessory buildings for above uses | Must be on the same lot as principle <u>building</u> | ** - |
| 611.6 | Temporary buildings: Recreational-type vehicles are allowed provided that they are not used as permanent residences. Permanent residences shall be defined as longer than 6 months. Absolutely no discharge of sewage from RV except through means of permanent sewage disposal system, as approved by County inspector. Sewage disposal systems to be inspected prior to building and before system is covered, subject to a fine established by Commission. (See Next Page) | | |

* Set-backs for all structures:

The yard distances are measured from the edge of properties and or right of way lines.

(controlled or limited access).

Front: 40 feet

Side 30 feet

Back 80 feet

Access: 30 feet off road-require 30 foot culvert access. (Waiver 80 ft. on back if property extends to Corps of Engineers property or easement.)

** The side yard for accessory buildings shall be the same as the principal building. If accessory building is more than 20 ft. from the principle building, then the accessory building may be built on the side lot line.

The rear yard for accessory buildings shall be the same as for the principle buildings. If the accessory building is more than 20 ft. from the principle building, then the accessory building may be built on the rear lot line.

611.7 Non-Residential Buildings:

A building permit will be required for all non-residential buildings but there will be no charge for same.

612.0 Additional land used may be permitted in the Residential District upon the favorable recommendation of the County Planning and Zoning Commission to the County Court. The County Planning and Zoning Commission and the County Court shall determine that the proposed use will not adversely affect the character of the area, adversely affect traffic, place undue restraint on utilities or conflict with future plans of the area.

612.1 Sight distance at Intersections:

No fence, wall, hedge, shrub, or tree which obstructs sight lines at elevations above roadway, within 25 feet of each side.

612.2 Garbage and Refuse Disposal:

No lot shall be used or maintained as a dumping ground for garbage, trash, or worn-out machinery or vehicles.

612.3 Nuisances:

No noxious or offensive activity shall be carried on upon any lot. Nor shall anything be done there on which may be or may become any annoyance or nuisance to the neighborhood. All existing activities which are now or are later determined to be considered noxious or offensive activities are excepted as is and shall not be challenged.

(See Next Page)

612.4 Easements:

No property owner shall unreasonably withhold easements across this property which are for the common good.

612.5 Compliance with Government Regulations:

All construction and use of property shall comply with all County, State, and Federal regulations especially those dealing with sanitary wastes.

612.6 Enforcement of Covenants and Restrictions:

Specific covenants and restrictions shall run with the land and enforcement of these regulations if necessary, may include filing of liens or judgments.

612.7 Building Permits:

A building permit of \$210.00 required.

612.8 Add to all residential classifications:

1. Must have sewage inspected prior to building and again before covering.
2. No open sewage or run-off.

620.0 R-2 Mobile Home District

621.0 Permitted use, lot area and yard area:

1. House trailers or mobile homes must be placed upon land that will meet the requirements of this section for two (2) or more house trailers or mobile homes.
2. The plans for the "Mobile Home Park" must be (submitted to the Monroe County Court who in turn) request a recommendation of the Monroe County Planning Commission within (60) days. The County Planning Commission shall determine if the proposed mobile home park conflicts with the Comprehensive Plan of Monroe County, places an undue burden on public facilities or will be a liability on the health, safety or general welfare of Monroe County. The Planning Commission will also determine whether all requirements of this section have been met.
3. All developers of a proposed mobile home park shall comply with these requirements. The replacement of existing mobile homes or house trailers shall be permitted in parks existing at the effective date of this ordinance so long as the park is owned by the same owner at the effective date of this ordinance.
4. Site plan requirements for new parks shall be as follows:
 - a. All mobile homes shall set back 30 ft. from the front property line or along the established building line in the block.
 - b. All mobile homes shall set back 30 ft. from the side property line.
 - c. All mobile homes shall set back 30 ft. from the rear property line.
 - d. Off-street parking shall be provided on the basis of one space per mobile home.
 - e. All Off-street parking spaces and drives shall be all-weather surfaced.
 - f. All mobile homes shall be at least 20 feet apart.
 - g. All ingress and egress shall be from an all weather surfaced county road.
 - h. The proposed site plan shall indicate the above information and be drawn to scale.
 - i. All drives or streets shall be at least twenty-four (24) ft. wide.
 - j. Additional visitor parking shall be provided in the park at the rate of one (1) space per twelve (12) mobile homes.
5. All appropriate County and State sanitary regula-

tions shall be strictly observed.

6. All house trailers or mobile homes shall be permanently mounted in accordance with State Law.
7. All house trailers or mobile homes shall be skirted around the entire base.
8. All house trailers or mobile homes shall be used for residential purposes only.
9. Storage sheds may be permitted provided that they are used for storage of lawn equipment, play equipment or other small items.
10. All solid waste material shall be contained in a sanitary area on the mobile home park.

SECTION 700.0 COMMERCIAL DISTRICTS

710.0 C-1, Commercial District

711.0 Permitted uses, lot area and yard area

| | <u>Permitted Use</u> | <u>Min. Lot Area</u> | <u>Min. Yard Area</u> |
|-----------|------------------------------------|----------------------|--------------------------------------------|
| 1. | Retail stores (enclosed buildings) | | |
| 2. | Commercial recreation buildings | | |
| 3. | Repair Shops and garages. | None | Front: 40 ft * Side: None Rear: None |
| 4. | Automobile sales and service | | |
| 5. | Service Stations | | |
| 6. | Drive-in restaurants | | |
| 7. | Trailer and camper sales | | |
| <u>8.</u> | <u>Motels</u> | | |

* The yard distances are measured from the edge of properties and/or right-of-way lines. There is no side or rear yard required unless the use adjoins a Residential District in which case the same side and rear yards required in the Residential District shall be provided for the Commercial use.

Additional land uses may be permitted in the Commercial District upon the favorable recommendation of the County Planning and Zoning Commission to the County Court. The County Planning and Zoning Commission and the County Court shall determine that the proposed use will not adversely affect the character of the area, adversely affect traffic, place undue restrictions on utilities or conflict with future plans of the area.

712.0 C-2, Heavy Commercial District:

713.0 Permitted uses, lot area and yard area:

1. Storage firms
2. Lumber yards
3. Animal hospitals
4. Carpenter shops None Front: 40 ft. *
Side: 30 ft. *
Rear: 40 ft. *
5. Ice plants
6. Sheet metal shops
7. Welding shops
8. Machine shops
9. Auto, machine shops
10. Fertilizer plants

* The yard distances are measured from the edge of properties and/or right-of-way lines. Where use adjoins a Residential District, there shall be an additional 20 ft. buffer area provided on the side yard with land-scaping to screen out industry from adjoining residential area.

714.0 Additional land uses may be permitted in the Commercial District upon the favorable recommendation of the County Planning and Zoning Commission to the County Court. The County Planning and Zoning Commission and the County Court shall determine that the proposed use will not adversely affect the character of the area, adversely affect traffic, place undue restrictions on utilities or conflict with future plans of the area.

SECTION 800.0 INDUSTRIAL DISTRICT

810.0 M-1 Industrial District

811.0 Permitted uses, lot area and yard area

| Permitted Use | Min. Lot Area | Min. Yard Area |
|------------------------|---------------|-----------------------------------------------------|
| 1. Wholesale business | | |
| 2. Canning and packing | | |
| 3. Clothing factories | | |
| 4. Cement plants | | |
| 5. Rendering works | | |
| 6. Foundaries | | |
| 7. Slaughterhouses | None | Front: 40 ft. * Side: 30 ft. * Rear: 40 ft. * |
| 8. Stockyards | | |
| 9. Bottling Works | | |
| 10. Dairy | | |
| 11. Salvage yard | | |
| 12. Asphalt plants | | |

* The yard distances are measured from the edge of properties and /or right-of-way lines. Where use adjoins a residential district, there shall be an additional 20 ft. buffer area provided on the side yard with landscaping to screen out industry from adjoining residential area.

812.0 Additional land uses may be permitted in the Industrial District upon the favorable recommendation of the County Planning and Zoning Commission to the County Court. The County Planning and Zoning Commission and the County Court shall determine that the proposed use will not adversely affect the character of the area, adversely affect traffic, place undue restriction on utilities or conflict with future plans of the area.

SECTION 900.0 FLOOD PLAIN DISTRICTS

910.0 FP, Flood Plain District

911.0 Permitted Uses

1. Storage yards for equipment and materials which would not be subject to flood damage and are firmly anchored from flotation. Such storage yards must be located on land adjoining land that is properly zoned.
2. Public and private recreational uses of open land such as: public parks, camping areas, golf courses, race tracks, ect. All stuctures shall be firmly anchored from flotation.
3. Reconstruction of any land use that existed at the time this Order becomes law provided the existing land use had not been destroyed by fire, flooding or acts of God to over 50% of its fair marketing value prior to damage.
4. New construction meeting Section 912.0 requirements.

912.0 Reconstruction

If reconstruction and/or construction complies with Section 911.3 above, then the following shall apply;

1. Structures shall be designed to prevent flotation and collapse and to prevent damage to nonstructural elements. All mobile homes not on wheels and all frame structures, including prefabricated houses shall be securely anchored to foundations in order to prevent flotation or lateral movement.
2. Thermal insulation used below the first floor level shall be of a type that does not absorb water.
3. Adhesives shall have a bonding strength that is unaffected by inundation.
4. Doors and all wood trim shall be sealed with a waterproof paint or similar product.
5. Water heaters, furnaces, electrical distribution panels, and other critical mechanical or electrical installations shall be prohibited in basements. Separate electrical circuits shall serve lower levels and shall be dropped from above.

SECTION 1000.0 NON-CONFORMING USES

1001.0 Definition

1. A non-conforming use is any land use and /or building use existing at the date these regulations become law which does not conform to the permitted use, minimum lot area or minimum yard area of the district in which it is located.

1002.0 Continuation of non-conforming uses

1. The use can be continued if:
 - a. Not left vacant for over one year.
 - b. Not destroyed by more than 50% of its fair market value from fire, flood or wind.

1003.0 Expansion or Enlargement of Non-conforming uses

1. A non-conforming use cannot be expanded or enlarged unless it conforms to the regulation of the District in which it is located. (See Section 300.0 for procedure.)

SECTION 1100.0 POWERS AND DUTIES OF THE ADMINISTRATIVE OFFICER

1101.0 Interpretation of the Zoning Regulations

1. Determine if the use proposed by the applicant for a building permit is permitted in the District in which it is located.
2. Determine if the use proposed by the applicant for a building permit provides the minimum lot area and /or yard area.

1102.0 Refer Applicant for Proper Action

1. Applicants proposing a use which is not permitted in the District designated for the property in question as it appears on the Official Zoning District Map, refer to the County Court who in turn will refer the application to the County Planning and Zoning Commission for a recommendation on a Zoning District change within 60 days.
2. Applicants proposing a use which does not provide the minimum lot area or yard area to the Board of Adjustment.

1103.0 TAKE APPLICATIONS FOR BUILDING PERMITS

1. Get name and address of applicant.
2. Get name and address of developer if different from above.
3. Get description of proposed use and a legal description or a meets and bounds description of property in question.
4. Get a sketch or diagram of the property in question and property line dimensions and showing proposed building(s) and distances from building(s) to property line.
5. Get estimate of development cost.

1104.0 ISSUE ZONING PERMITS

1. Check to see that the proposed use is permitted in the District governing the area in question and meets the lot area and yard area requirements.
2. Collect the fee required.

1105.0 NOTIFY COUNTY, STATE AND FEDERAL AGENCIES

1. From a list of agencies possibly needing to be informed of land use changes, notify them of the issuance of each building permit. These agencies will be responsible for the enforcement of local, state and federal regulations unless specifically agreed to by the County Court.

1106.0 KEEP RECORDS OF ZONING MATTERS

1. Keep records of all requests to the County Planning and Zoning Commission and Board of Adjustment.
2. Keep records of all building permits issued.

1107.0 ENFORCE ZONING REGULATIONS

1. Make periodic checks for land use changes being made without a building permit and violations of issued permits.
2. Upon failure of efforts to have permits applied for or compliance by violators of issued permits, refer information to the County Prosecuting Attorney for legal procedures.

SECTION 1200.0 POWERS AND DUTIES OF THE COUNTY COURT

1201.0 Appointments

1. Appoint members of the County Planning and Zoning Commission. Members shall be residents of the unincorporated area of Monroe County. Membership shall consist of one representative of each political township, the County Highway Engineer, one member of the County Court.
2. Appoint members of the Board of Adjustment. Membership shall consist of five members. No more than two can be residents of any incorporated city, town or village and no more than one can be a member of the County Planning and Zoning Commission. The term shall be appointed as follows: one for one year, one for two years, one for three years and two for four years.
3. Hire or appoint the Administrative Officer. This person may be a present county employee or a person to fill a newly created position.

1202.0 Adoption of Regulations

1. Refer all requests for changes in the Zoning District map and /or changes to the zoning ordinance.
2. Adopt the County Zoning Regulations and Official Zoning District Map of Monroe County by Court order.
3. Adopt changes to the Official Zoning District Map by Court order after a public hearing giving 15 days notice in a county-wide read newspaper.
4. Adopt amendments to the provisions of the Zoning Regulations after a public hearing giving 15 days notice in a county-wide read newspaper.
5. Act upon recommendations of the County Planning and Zoning Commission within sixty (60) days from the day the Commission made its recommendation.

SECTION 1300.0 POWERS AND DUTIES OF THE BOARD OF ADJUSTMENT

1301.0 Hear and Decide Appeals

1. To hear and decide appeals where it is alleged that there is an error to any order, requirement, decision or determination of the Administrative Officer in the enforcement of these regulations.

2. To hear and decide on appeals where a building

permit was denied by the Administrative Officer because of insufficient lot area or yard area. The Board of Adjustment shall make exceptions to the minimum provisions of lot area or yard area if the strict application of the requirements would result in peculiar and exceptional practical difficulty or exceptional and undue hardship upon the applicant and the modification would not adversely affect the intent of these regulations.

3. Meetings of the Board of Adjustment are to be called by the Administrative Officer.

SECTION 1400.O POWERS AND DUTIES OF THE COUNTY PLANNING AND ZONING COMMISSION

1401.0 Make recommendations to the County Court.

1. Make recommendations to County Court concerning proposed changes in the Official Zoning District Map. When the County Court receives a request for a zoning district change, the Planning and Zoning Commission will have sixty (60) days to make such recommendations upon the effects such a change would have upon the Comprehensive Plan of Monroe County.
2. Make recommendations to County Court concerning proposed changes in the Monroe County Zoning Regulations. When the County Court receives a request for an amendment or change in any part of the Zoning Regulations, the Planning and Zoning Commission will have sixty (60) days to make such recommendations upon the effects such a change would have upon the comprehensive plan of Monroe County.
3. Keep an up-to-date evaluation of the effectiveness of these Zoning Regulations toward the implementation of the Comprehensive Plan of Monroe County. Where changes are needed, make such recommendations to the County Court.

SECTION 1500.0 VIOLATIONS, EXCEPTIONS AND PENALTIES

1501.0 Violations

1. It shall be a violation of these Regulations to alter or erect any building without obtaining a building permit.
2. It shall be a violation of these Regulations to

change the use of land from the use in existence on the date these Regulations became law.

1502.0 Exceptions

1. These Regulations do not pertain to farm buildings prohibited from land use control by state statute.

1503.0 Penalties

1. Any person, persons or organizations violating the building and /or land use provisions of these regulations are to be notified by the Administrative Officer in writing and given one week to conform to the provisions of these Regulations.
2. Upon failure to comply to the provision of these Regulations or respond to the notice from the Administrative Officer, the matter will be turned over to the County Prosecuting Attorney.
3. Violations are subject to fines in accordance with the Statutes of Missouri.

SECTION 1600.0 VALIDITY

- 1601.0 Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

Adopted by the Monroe County Court:

Date 12-19-83

Cecil V. Evans
Presiding Judge

David L. Utterback
Judge of the Eastern District

Larry W. Schoop
Judge of the Western District

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