

**TWIN OAKS BOARD OF ALDERMEN
NOTICE OF WORK SESSION
TWIN OAKS CITY HALL
WEDNESDAY, NOVEMBER 15, 2023, 6:15 P.M.
TWIN OAKS, MO 63021**

TENTATIVE AGENDA

- 1) Garage size regulations
- 2) Clare's House nonprofit organization and kennel regulations
- 3) ADJOURNMENT

Frank Johnson
City Clerk/Administrator

POSTED: November 13, 2023, 10 a.m.

Please note: Any person requiring physical or verbal accommodations should contact the city office 12 hours prior to meeting at 636-225-7873. Copies of public records for this agenda are available for public inspection before and at the time of the meeting.

Chapter 400. Zoning Regulations

Article IV. "A" Single-Family Dwelling District Regulations

Section 400.130. Use Regulations.

7. Accessory buildings, structures, or uses as specified below, provided that no accessory building, structure or use shall be located in the front yard or within the applicable side and rear setbacks set forth in Section **400.150(A)**:
[Ord. No. 21-3, 2-3-2021]

Accessory Buildings And Structures		
Lot Size (square feet)	Maximum Cubic Feet	Maximum Height (feet)
Up to 10,980	960	12 1/2
10,981 to 21,780	1,440	12 1/2
21,781 to 43,560	1,960	12 1/2
Greater than 43,560	3,072	12 1/2

Accessory Uses	Maximum Area	Maximum Height
Doghouse, dog run or combination	50 square feet	6 feet including fencing
Swimming pool, constructed and fenced as required by St. Louis County Codes	1,000 square feet water surface area	4 feet
Private garage	700 square feet	Height regulations as described in Section 400.140

- a. No more than one (1) of each above-listed accessory building/use is permitted per lot.
- b. Garages.
 - (1) Detached garages must have an associated driveway that provides direct access to the detached garage for the storage of vehicles. Failure to have an associated driveway to the building will be conclusive evidence that the accessory building is not a detached garage.
 - (2) Nothing in this Section **400.130** shall prevent the owner of a dwelling unit or the owner's authorized agent from constructing and maintaining both an attached and detached garage on a single lot, each up to a maximum of seven hundred (700) square feet, provided that the lot and structures thereon comply with the area regulations outlined in Section **400.150**.
 - (3) No private garage shall be used as a dwelling unit; nor shall a private garage be constructed to contain a dwelling unit within said private garage.

- c. Carports are prohibited in the "A" Single-Family Dwelling District.
- d. Accessory buildings and structures shall be compatible with the principal building on the lot in terms of architectural treatment and harmony and shall be maintained in compliance with Chapter **500**, Article **VII**, Property Maintenance Code; Chapter **505**, Dangerous Buildings; and Chapter **215**, Nuisances. If the Code Enforcement Official determines that more than fifty percent (50%) of an accessory building/structure is damaged or dilapidated or that the accessory building/structure is damaged or dilapidated by more than fifty percent (50%) of its value, the Code Enforcement Official shall give notice to the lot owner of such determination and the owner shall cease to use the accessory building/structure and remove it from the lot within the time frame indicated in the notice.
- e. No accessory building, structure or use shall be erected, placed or used upon a lot until the construction of the principal building has commenced.
- f. Nothing in this Section **400.130(A)(7)** shall prevent the Board of Aldermen from approving a detached or attached private garage, carport, covered parking or other accessory structure or waiving the size requirements in association with an approved planned development ("PD-MxD" or "PD-R") under Section **400.380** of this Chapter.

Chapter 400. Zoning Regulations

Article II. Definitions

Section 400.080. Definitions.

[Ord. No. 20-21, 12-16-2020]

The following words, when used in this Chapter, shall have the meanings set out herein:

ACCESSORY BUILDING

A subordinate roofed building, enclosed on all sides, clearly incidental to and located on the same lot occupied by the principal use or building.

ACCESSORY USE

A subordinate use clearly incidental to and located on the same lot occupied by the principal use or building.

ACCESSORY STRUCTURE

A structure, the use of which is clearly customarily incidental and subordinate to the principal building or use on the same lot. Examples include gazebos, detached pergolas, unenclosed outbuildings, pavilions, arbors, playground equipment, and similar structures.

*City of Twin Oaks, MO
Thursday, November 9, 2023*

Chapter 205. Animal Regulations

Article III. Dog, Cat, and Other Animal Regulations

Section 205.260. Dog Or Cat Kennels Prohibited.

[Ord. No. 21-1, 1-6-2021]

No person shall be permitted to maintain a dog or cat kennel in the City, and the maintenance of a dog or cat kennel in the City, is hereby prohibited.

City of Twin Oaks, MO
Thursday, November 9, 2023

Chapter 205. Animal Regulations

Article I. General Provisions

Section 205.010. Definitions.

[Ord. No. 21-1, 1-6-2021^[1]]

For the purposes of this Chapter, certain terms and words are hereby defined. Words used in the present tense include the future; the singular number includes the plural and the plural, the singular; and reference to any person or animal without specifying gender includes both male and female; the word "shall" is mandatory and not directory.

AT LARGE

1. Any cat shall be deemed at large when off the premises of its owner's real property, and:
 - a. Not wearing a collar with appropriate tags attached; or
 - b. When creating a public nuisance.
2. Any dog or other animal shall be deemed at large when off the premises of the owner's real property, and:
 - a. Not restrained by a competent person; or
 - b. When creating a public nuisance.

CAT

All domestic species or varieties of the genus felis, male or female, four (4) months of age or older.

CERTIFICATE

A certificate issued at the time of the vaccination of a dog or cat and bearing thereon the signature of the vaccinator, the registration number, the name, color, breed and sex of the animal, the name and address of the owner, the date of the vaccination and type of vaccine administered.

CHICKEN EMBRYO, ORIGIN VACCINE

Vaccine which is manufactured using the embryo of the chicken as a growth medium and also known as "Flury Strain vaccine."

COMPETENT PERSON

A human being that is capable of controlling and governing the animal in question and to whose commands the animal is obedient.

CONSTRUCTOR

A type of snake that when wrapped around any person or animal could cause bodily injury or even death.

DANGEROUS

Any animal, whether or not running at large and whether or not unrestrained, that without provocation has bitten or has attempted to bite any person, not a trespasser, or domesticated animal without provocation causing physical injury to that person or animal, or placed any person in apprehension of immediate serious physical injury.

DOG

All domesticated members of the *canis familiaris*, male or female, four (4) months of age or older.

EUTHANIZE

To put to death in a humane manner.

EXPOSED TO RABIES

When bitten by, or fought with, or has come in close contact with a dog or other animal shown to be infected with the rabies virus as determined by standard laboratory testing.

FIERCE

See the definition of "dangerous."

HEALTH DEPARTMENT

St. Louis County Health Department, Animal Care and Control Division, and any person, persons, departments, or agencies authorized by the City of Twin Oaks to enforce this Chapter or that otherwise possesses lawful jurisdiction over diseased animals.

HOUSEHOLD

Those members of a family, including servants and attendants, living in the same dwelling unit.

IMPOUND

The apprehending, catching, trapping, netting, tranquilizing, confining, or, if necessary, the destruction of any animal by the Health Department.

IMPOUNDING FACILITIES

Any premises designated by the Health Department or its contractor for the purpose of impounding and caring of all animals found in violation of this Chapter.

KENNEL

Any place or tract of land, whether indoors or outdoors, whether enclosed or not, in, at or upon which dogs or cats are kept, housed, bred, raised, fed, displayed, or sold. The owner of more than three (3) dogs or three (3) cats or a combination of more than three (3) cats and dogs in a combined total, whether owned for pleasure or profit, breeding, or exhibiting, shall be deemed to be the operator of a kennel.

KITTEN

All domestic species or varieties of the genus *felis*, male or female, under the age of four (4) months.

NERVE TISSUE ORIGIN

Vaccine manufactured using tissue of the nervous system as a growth medium.

OWN or OWNS

The act of harboring, sheltering, keeping, controlling, managing, possessing, or having custody of or a part interest in any animal in the City of Twin Oaks. The occupant of any premises on which a dog or puppy remains for a period of seven (7) days, or to which it customarily returns for a period of ten (10) days is presumed to be harboring, sheltering, or keeping the aforementioned dog or puppy within this definition. Under no circumstances are the normal and ordinary accepted definitions of the terms harboring, sheltering or keeping to be limited to the words of the aforementioned presumption.

OWNER

City of Twin Oaks, MO
Thursday, November 9, 2023

Chapter 400. Zoning Regulations

Article IV. "A" Single-Family Dwelling District Regulations

Section 400.180. Special Business Permit Procedure.

[Ord. No. 20-21, 12-16-2020]

- A. Scope Of Provisions. This Section contains the regulations of the Special Business Permit Procedure. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in this Chapter, which are incorporated as part of this Section by reference.
1. Statement Of Purpose. The purpose of this Section is to provide a voluntary and alternative means for existing single-family dwellings to be reutilized for office or low impact commercial services in the "Old Town" area where certain site characteristics, changes in nearby uses and traffic conditions, and the reconstruction of Highway 141 may have rendered these properties less desirable for residential purposes. The issuance of any special business permit shall only be approved after the Planning and Zoning Commission (the "Commission") has reviewed and determined that the proposal does not adversely impact the character of the surrounding neighborhood and is compatible in appearance and function with nearby uses.
 2. Applicable Zoning Districts And Roadway Designation. The special business permit procedure may be utilized on lots in the "A" Single-Family Residential Dwelling District east of Highway 141. Lots considered for the special business permit procedure must have direct access onto Meramec Station Road.
 3. Authorized Developments.
 - a. The special business permit procedure may authorize the following development types:
 - (1) Office uses that do not require steady customer visits.
 - (2) Commercial services of a personal or educational nature, including, music schools, art studio, alterations, tailors, architect, accounting or legal services, or other establishments offering services to the general public, excluding the manufacturing or sale of any goods on the premises except as an accessory use to a permitted use.
 - (3) Mail order or internet-based operations provided that there is no storage or display of inventory outside the dwelling or visible from the roadway inside the dwelling.
 - b. Notwithstanding the above, no special business permit may be granted if the Board of Aldermen makes the legislative finding that any proposed use would create excessive traffic, noise, or other nuisance.
 4. Owner-Occupied. The special business permit may not be granted for a business that is operated by a person other than the owner of record or a person sufficiently related to the owner of record. For purposes of this Section, a person shall be considered "sufficiently-related" to the owner of record to be issued a permit if the person is an entity, owned or operated by the owner of record, whether jointly or severally or in joint tenancy or by any partnership, corporation or other entity in which the owner of record holds a fifty percent (50%)

or greater interest or by any shareholder, member or partner holding a fifty percent (50%) or greater interest in such owner of record, if an entity.

5. Site Requirements. Yard setbacks, screening, landscaping, and building use limitations shall be as established within the conditions authorizing the special business permit. Additional restrictions applicable on a case-by-case basis are as follows:
 - a. Any building addition, parking area, or drive aisle shall comply with the setback requirements of the "A" Single-Family Zoning District, except in the following instances:
 - (1) Where a special business permit property abuts a residentially zoned area, the rear yard setback shall be a minimum of fifteen (15) feet in distance. If five (5) or more parking spaces are proposed in conjunction with the use, a minimum twenty-five (25) foot rear yard setback shall be required.
 - (2) Where a special business permit property abuts a residentially zoned area, setback requirements may be made more restrictive in the conditions governing the site, as authorized by the special business permit, than those of the underlying district designation.
 - b. Any special business permit property shall have the following use limitations:
 - (1) A special business permit may be issued only for an existing structure originally constructed for occupancy as a single-family dwelling and which was constructed not less than ten (10) years prior to application for a special business permit.
 - (2) No addition shall be permitted to any structure for which a special business permit is issued that will increase the area of office/commercial use. This provision shall not prohibit the construction of an addition for living area or for sheltered parking otherwise permitted in the district in which the property is located. No such addition shall be eligible for an expansion of use granted under the special business permit.
 - (3) No alteration of a principal residential structure shall be made which changes the nature of its appearance as a residence.
 - (4) No mechanical equipment or process shall be used which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses outside any structure on the property.
 - (5) There shall be no regular and steady visitation or concentrated coming and going of clients, patrons, or customers to or from the property.
 - (6) There shall be no exterior storage of equipment or material used in connection with the special business permit.
 - (7) If residential use of the property is retained in part, such living area shall be limited to the family of the operator of the business for which the special business permit is requested.
6. Parking. Off-street parking and loading spaces for a special business permit use shall comply with the applicable standards as established in Section **400.390**, Residential Parking Requirements. If additional parking is desired by the applicant, the applicant must include a parking plan with the site plan for the Commission's review and recommendation as to whether the desired parking detracts from the purpose of this Section as set forth in Subsection **(A)(1)**.
7. Signage. Signage for the special business permit procedure may consist of one (1) sign not to exceed twenty-four (24) inches by thirty-six (36) inches in sign face area. This signage shall be located on the structure at its entrance. The sign, sign location as well as lighting for the sign, must be clearly indicated on the site plan for approval.
8. General Review Process. The appearance and operation of the structure shall be compatible with the surrounding area. Each request shall be required to meet the following requirements:

- a. A site plan shall be submitted in conjunction with the special business permit application for approval by the Commission.
 - b. A rendering of the dwelling that reflects the existing facade treatments, as well as any proposed remodeling or alterations to the exterior of the dwelling in adherence to permit requirements, shall be submitted to the Commission for approval.
 - c. If site work or building additions are involved, a review by the Metropolitan St. Louis Sewer District shall be completed for each special business permit procedure request relative to the on-site handling of stormwater, required right-of-way dedications along applicable roadways, and accessory entrance improvements.
- B. Procedures. Procedures for filing, review, and approval of the special business permit shall be as follows:
1. Application.
 - a. Application for a special business permit for a specific tract of land shall be initiated by the filing of a verified application by the owner or owners of record, or owners under contract of a lot or tract of land, or their authorized representatives. Application shall be submitted to the City Clerk upon forms prescribed for such purpose by the City and accompanied by the following:
 - (1) Legal description of the property.
 - (2) Out boundary plat of the property.
 - (3) Photos of existing site and buildings.
 - (4) If changes to the exterior of the building or property are proposed, a site plan, including, but not limited to, the following:
 - (a) Location and designated uses of all buildings and other structures as well as parking and open areas shall be indicated.
 - (b) Existing and proposed contours at vertical intervals of not more than five (5) feet referred to sea level datum. Floodplain areas shall be delineated.
 - (c) Approximate location of all isolated trees having a trunk diameter of six (6) inches or more, all tree masses and proposed landscaping.
 - (d) Two (2) cross-section profiles through the site showing preliminary building form, existing natural grade and proposed final grade.
 - (e) Proposed ingress and egress to the site, including adjacent streets.
 - (f) Preliminary plan for provision of sanitation and drainage facilities.
 - (g) Preliminary plan for stormwater quality control measures (if applicable).
 - (h) Stream buffer areas.
 - b. The City Clerk may waive any of the above requirements, including a site plan, deemed inessential for a specific application.
 2. Commission Action. The application shall be forwarded to the Planning and Zoning Commission only after verification that it meets the minimum application requirements. Upon review of the application, the Commission may recommend approval subject to appropriate conditions, or denial. Conditions may relate to, but need not be limited to, the following:
 - a. Conditions relative to the type, location and extent of improvements and landscaping;

- b. Conditions governing development and improvements (including minimum yard requirements);
 - c. Conditions relative to the maximum gross floor area for non-residential use;
 - d. Conditions relative to sign regulations; and
 - e. Conditions relative to performance standards.
 - (1) When approval has been granted subject to conditions, and the conditions would cause a substantial change in the site plan presented at public hearing, the City Clerk shall withhold forwarding the Commission's decision to the Board of Aldermen pending receipt of a revised plan from the applicant reflecting compliance with the conditions. The applicant shall be allowed a maximum of forty-five (45) days to submit the revised plan to the City Clerk. If the applicant fails to submit the revised plan, the City Clerk shall forward its decision to the Board of Aldermen.
 - (2) The Commission's recommendation shall be based upon whether the special business permit procedure proposal is consistent with the overall purpose of this Section regarding the style and functional aspects of the subject dwelling and the operational compatibility of the proposed use with surrounding uses, topography, and infrastructure. The recommendation, along with the site plan and conditions, where approval has been granted, shall be forwarded to the Board of Aldermen for its review.
3. Board Of Aldermen's Review Of Commission Recommendation.
 - a. Public Hearing. A public hearing on the application shall be held in the same manner and with the same public notice procedure as required for a change of zoning (Section **400.550**).
 - b. The Board of Aldermen shall review the recommendation of the Commission, including any conditions recommended, and the application, and shall, considering the purpose of this Section, any additional conditions needed and the requirements of Subsection (**A**), either approve, approve with conditions, or deny the application. The Board's action shall be in the form of a resolution or similar manner.
 4. Appeal Procedure. Appeal by anyone aggrieved by the decision of the Board of Aldermen hereunder shall be in accordance with Chapter **150** of the City Code.
- C. Procedure To Amend The Conditions Of Special Business Permit Or Site Plan. In order to amend the conditions of an existing special business permit or to amend the site development plan approved for a special business permit, the procedure shall be as follows to:
1. Amend Conditions Of A Special Business Permit.
 - a. The property owner or authorized representative shall submit a written request to amend conditions to the City Clerk. The City Clerk shall evaluate the request for consistency in purpose and content with the nature of the proposal as originally advertised for public hearing.
 - b. The City Clerk shall then forward the request and its report to the Commission. The Commission shall review the proposed condition amendments and file a report with the Board of Aldermen in which the Commission shall recommend the Board grant, deny, or modify the requested condition amendments.
 - c. If the Commission determines that the requested condition amendments are not consistent in purpose and content with the nature of the proposal as originally advertised for public hearing, the Commission may require a new public hearing on the matter in accord with the procedures specified herein.
 2. Amend The Site Plan.

- a. The property owner or authorized representative shall submit an amended site development plan to the City Clerk for review. The City Clerk shall evaluate the request for consistency in purpose and content with the nature of the proposal as originally advertised for public hearing.
- b. If the City Clerk determines that the proposed amendment to the site development plan is not in conflict with the original proposal as advertised and the preliminary development plan, and meets all conditions of the special business permit, the City Clerk may approve said amended plan. The approved plan shall be retained on file by the City Clerk.
- c. If the City Clerk determines that the proposed amendment to the site plan is not consistent in purpose and content with the nature of the proposal as originally advertised for public hearing, or with the preliminary development plan, the City Clerk shall so report to the applicant and the Commission. The Commission shall review the proposed site plan amendment and make a recommendation to the Board of Aldermen. The Commission may, if deemed necessary, require a new public hearing on the matter in accord with procedures specified herein.