

CHAPTER 53. ZONING¹

ARTICLE I: General Provisions

Section 53.020. Definitions.

“**Accessory Buildings**” shall mean a subordinate building or a portion of the main building, the use of which is incidental to that of the main building or to the main use of the premises.

“**Building**” shall mean any structure affixed to the land and designed or intended for the support, enclosure, shelter or protection of persons, animals, or property.

“**Dwelling**” shall mean any building or portion thereof which is designed for or used exclusively for residential purposes.

“**Dwelling, Single-Family**” shall mean a detached building designed for or occupied exclusively by one family.

“**Dwelling, Single-Family Attached**” shall mean two (2) ~~or more~~ single-family dwellings, ~~sharing common wall areas~~, each on its own individual lot, adjoined by a party wall.

“**Dwelling, Two-Family**” shall mean a detached ~~or semi-detached~~ building designed for or occupied exclusively by two families living independently of each other in separate dwelling units adjoined by a party wall or fire-rated floor assembly on a single lot.

“**Dwelling, Multiple**” shall mean a building or portion thereof used or designed as a residence for three (3) or more families living independently of each other, and doing their own cooking in said building, including apartments and apartment hotels

“**Party wall**” shall mean a wall forming part of a building and used for separation of adjoining dwellings or buildings occupied, constructed or adapted to be occupied by different households or businesses.

ARTICLE III: Residential Districts**Section 53.070. “A4” Seventy Five Hundred Square Foot Residence District Regulations.**

The regulations set forth in this section, or set forth elsewhere in this Zoning Code, when referred to in this section, are the district regulations in the “A4” Seventy Five Hundred Square Foot Residence District.

Section 53.071. “A4” Use Regulations.

Permitted, conditional and accessory uses are found in Section 53.100 of this Article.

Section 53.073. “A4” Dimensional Regulations.

- c. **Side Yard Setback.** The minimum side yard setback shall be established in the following manner:
1. There shall be a side yard on each side of the building having a width of not less than six (6) feet for residential structures and ten (10) feet for nonresidential structures; or
 2. Residential structures existing as of September 20, 1956 which are closer to the side property line than six (6) feet may be enlarged, provided any addition is no closer to the side property line than ten (10%) percent of the lot width at the front yard setback.
 3. For the purpose of the side yard regulations, a two-family dwelling, or a multiple dwelling, shall be considered as one (1) building occupying one (1) lot. ~~At a two-family dwelling, constructed on a single lot (i.e. condominium not fee simple) with a party wall connecting the units, the side yard requirement at the common wall between units shall not apply. A two-family dwelling, constructed on a single lot (ie. condominium, not fee simple), shall not be required to provide a side yard between dwelling units on the same lot.~~
 4. A single family attached dwelling, in which each dwelling unit is constructed on its own individual lot (fee simple) with a party wall connecting the units, the side yard requirement at the common wall between the units shall not apply. No more than four (4) attached single family dwellings may be constructed contiguously. shall not be required to provide a side yard between adjoined dwelling units. No more than two (2) dwelling units may be adjoined in a single family attached dwelling.
- f. **Rear Yard Setback.** Except as hereinafter provided in Section 53.170 et seq., there shall be a rear yard having a depth of not less than twenty percent (20%) of the depth of the lot provided such rear yard need not exceed thirty-five (35) feet, but shall not be less than twenty-five (25) feet.

Zoning

Chapter 53

- g. **Intensity of Use.** Every lot or tract of land shall have an area of not less than seven thousand five hundred (7,500) square feet, a width at the front yard setback of not less than sixty (60) feet, and an average width of not less than sixty (60) feet, and contain the following areas:
1. Seven thousand five hundred (7,500) square feet for a single-family dwelling.
 2. Three thousand seven hundred fifty (3,750) square feet per family for a two family dwelling.
 3. Where the lot or tract of record has less area or width than herein required and its boundary lines along their entire length touched lands under other ownership on the effective date of Ordinance 5906, such lot or tract of land may be used for a single family dwelling. Provided, however, that any lot of record of less area or width than required which does not fall within the exception hereinabove provided in this paragraph, but which conforms in both area and width with at least seventy-five percent (75%) of all the lots, including the lot or lots in issue, on both sides of the street in the same block, may be used for a single family dwelling. In determining the applicability of this exception, the following rules shall govern the calculation of the area, width and number of lots.
 - A. All contiguous lots or portions of lots under the same ownership shall be deemed one lot and contiguous lots or portions thereof held by any combination of husband and/or wife shall be deemed the same ownership.
 - B. Where the distance between street crossings or street intersections is greater on one side of a street than on the other side, the distance on the short side shall be deemed a block.
- h. **Uses allowed by Conditional Use Permit** shall have front, side, and rear yards setbacks as approved for the specific development of a conditional use, as prescribed in Section 53.170.
- i. **Lot Coverage.**
1. A maximum Floor Area Ratio (FAR) for a single-family detached **residence or attached dwelling** shall not exceed:
 - A. For lots 7,500 square feet or less in area, 0.35 or 2,600 square feet, whichever is greater;
 - B. For lots greater than 7,500 square feet but less than 10,000 square feet, 0.32 or 2,800 square feet, whichever is greater;
 - C. For lots 10,000 square feet or greater but less than 20,000 square feet, 0.30 or 3,200 square feet, whichever is greater;

Zoning

Chapter 53

- D. For lots 20,000 square feet or greater in area, 0.25 or 6,000 square feet, whichever is greater;
2. A maximum Floor Area Ratio (FAR) for a two-family dwelling shall not exceed:
- A. For lots greater than 7,500 square feet but less than 10,000 square feet in area, 0.16 per unit;
- B. For lots 10,000 square feet or greater in area, 0.15 per unit or 1,600 square feet per unit, whichever is greater
- ~~1.~~ 3. Total ground area covered by all buildings, including accessory buildings, shall not exceed forty percent (40%) of the lot size.
- ~~2.~~ 4. The Architectural Review Board (ARB) may approve construction of a new detached single-family dwelling, or addition to an existing detached single-family dwelling resulting in a floor area ratio (FAR) of up to forty percent (40%) if the ARB concludes that the construction will not result in a dwelling with excessive and unreasonable dissimilarity or inappropriateness in relation to any other single-family dwellings existing or for which a permit has been issued, within one hundred fifty (150) feet of the proposed site in respect to one or more of the following features:
- A. Gross Floor Area
- B. Height of building or height of roof
- C. Front elevation building width or percentage of lot width occupied by the building
- D. Other significant design features such as roof lines, massing, elevation articulation, and material or quality of architectural design, provided that a finding of excessive dissimilarity or inappropriateness exists, but further that it is of such a nature as to be expected to provoke beyond reasonable doubt an adverse affect on the stability and value of surrounding property, and that finding is not based on personal preferences as to taste or choice of architectural style

Section 53.078. Development Standards for Accessory Structures

- a. No accessory building shall be constructed upon a lot until the construction of the main building has been actually commenced.
- b. No garage or carport, attached or detached, shall be used for or converted to habitable or dwelling space, unless it is demonstrated the required off street parking regulations for the applicable zoning district will be complied with.

Zoning

Chapter 53

- c. No accessory uses shall be permitted that create a nuisance, as defined in the Code of the City of Webster Groves, to adjacent or nearby residents.
- d. No accessory building or structure may be used as living accommodations, except for members of the family residing as a single housekeeping unit in the main building or for persons employed for domestic services exclusively for residents of the main building. Under no circumstances shall more than two people occupy any accessory building or structure as living accommodations. No person shall occupy, or permit the occupancy of any accessory building or structure as living accommodations to the extent permitted by this subsection until a Certificate of Occupancy has been issued when occupancy complies with this subsection and with all applicable provisions of the Code of the City of Webster Groves and shall be issued in the same manner as, and in addition to, the Certificate of Occupancy required under Chapter 30 for the occupancy of any dwelling or dwelling unit.
- e. No accessory building or structure shall be used as rental property or for the conduct of any business, other than a home occupation, as defined in the Code of the City of Webster Groves.
- f. No accessory building that is not a part of the main structure shall be located less than sixty (60) feet from the front lot line. On corner lots, no accessory building shall project beyond the front yard line on either street, provided that every application for a parking lot qualifying as an "accessory use," as defined in Section 53.020, shall be subject to all the provisions of Section 53.077
- g. One detached Private Garage with a ground floor area of up to forty percent (40%) of the gross floor area of the primary structure is allowed. Notwithstanding the size of the primary structure, the ground floor area of a garage may be up to four hundred eighty (480) square feet, but shall not exceed nine hundred sixty (960) square feet. The height of a private garage to its ridge line may not be greater than the ridge line of the primary structure or one and one-half (1 1/2) stories, whichever is less. The floor area of any half story may not exceed fifty percent (50%) of the private garage ground floor area. One Private Garage attached to, and part of, the primary structure, not exceeding one thousand (1,000) square feet as measured by interior dimensions, is allowed subject to all building and setback requirements of the primary structure.
- h. In addition to one detached private garage, one additional detached accessory building may be built in the rear yard with a ground floor area of up to twelve percent (12%) of the gross floor area of the primary structure. Notwithstanding the size of the primary structure, the ground floor area of such an accessory building may be up to one hundred forty-four (144) square feet, but shall not exceed two hundred eighty-eight (288) square feet. The height of the accessory building to its ridge line may not be greater than the ridge line of the primary structure or one (1) story, whichever is less.
- i. The total gross floor area of all detached accessory buildings shall not exceed one thousand (1,000) gross square feet, and the total ground square footage of all

Zoning

Chapter 53

accessory structures shall not exceed thirty percent (30%) of the rear yard area or twelve percent (12%) of the lot area, whichever is smaller. In determining

“rear yard area” for the accessory buildings, the area shall be the yard that falls between the side yard lot lines between the rear of the primary structure and the rear yard lot line.

- j. Any detached accessory building with a gross floor area exceeding six hundred seventy-two (672) square feet or with a building height, as defined in Section 53.020 of the Zoning Code, exceeding twelve (12) feet shall comply with the minimum side yard setback requirements of the district as applied to the primary structure.
- k. No accessory building in excess of one hundred forty-four (144) square feet may have metal exterior walls, with the exception of siding that matches that of the primary structure.
- l. Lots exceeding an average width of one hundred (100) feet may be granted an additional twenty-five percent (25%) increase to what is otherwise allowed herein, but in no case shall the total ground square footage of all accessory structures exceed thirty percent (30%) of the rear yard area or twelve percent (12%) of the lot area, whichever is smaller.
- m. All metered utility services for any accessory building shall be provided from the primary structure and shall not be separately metered.
- n. Accessory buildings may be built in a rear yard but such accessory buildings shall not occupy more than thirty percent (30%) of a rear yard and shall not be nearer than five (5) feet to any side or rear lot line, except that when a garage is entered from an alley it shall not be located closer than ten (10) feet to the alley line and except that when a garage is located closer than ten (10) feet to the main building the side and rear yards for the main building shall be observed and except on reverse corner lots the garage shall not be located closer than ten (10) feet to the rear property line.