Zoning Ordinance of St. Louis, Mo.

Effective May 26, 1926
Ordnance 35003

In order to avail itself of the powers conferred by an Act of the General Assembly, approved on the 29th day of April, 1925, Laws of Missouri, 1925, page 399, the City of St. Louis, through its legislative body, has here-fore appointed the members of its City Plan Commission to be and constitute a commission known as the Zoning Commission, to recommend the boundaries of the various original districts into which it is proposed, for the purpose of this ordinance and pursuant to said Act, to divide the City and to recommend appropriate regulations to be enforced therein. Pursuant to said appointment, said Zoning Commission has prepared and made a preliminary report, held public hearings thereon, and thereafter made and submitted to the Board of Aldermen its final report, recommend-1ing the boundaries of said original districts and the regulations to be en-forced therein.

An ordinance to regulate and re-strict the height, number of stories, bulk, volume and size of buildings and structures, the size of yards, courts and other open spaces, the loca-tion, erection, alteration and use of buildings, structures and land for the purpose of promoting the health, safety, morals and general welfare of the City of St. Louis; and for said pur-pose to divide the City of St. Louis into districts; to provide for change of the regulations, restrictions and boundaries of such districts; to pro-vide for a Board of Adjustment; to pro-vide for enforcement, to prescribe penalties for violation of the provi-sions hereof.

Be it ordained by the City of St. Louis as follows:

Section One. Definitions. For the purpose of this ordinance certain terms and words are hereby defined, as follows:

Words used in the present tense shall include the future; the singular number shall include the plural, and the plural the singular; the word "building" shall include the word "structure"; the word "lot" shall in-clude the word "plot"; and the word "shall" is mandatory and not direc-toiry. Any terms not herein defined shall be construed as defined in the "Building Ordinance of the City of St. Louis."

1. Accessory Building. A subordi-nate building, or a portion of the main building, the use of which is inci-dental to the use of the premises.

2. Apartment House. See "Dwell-1ings—Multiple."

3. Basement. A story, partly, but not more than one-half of its height below the level of a street grade or ground nearest the building. A base-ment shall not be counted as a story for the purposes of height regulation, unless it is subdivided, rented, sold or leased for dwelling purposes.

4. Boarding House. Any dwelling other than a hotel, where meals, or lodging and meals, for compensation are provided for five (5) or more persons.

5. Building. Any structure for the shelter, support or enclosure of persons, animals, chattels or property of any kind; and when separated by party walls without openings, each portion of such building, so separated, shall be deemed a separate building.

6. Buildable Wide or Buildable Depth. The width or depth respectively of that part of the lot not included within the open spaces herein required.

7. Cellar. A story having more than one-half (½) of its height below the level of a street grade or ground nearest the building. A cellar shall not be included in computing the height or number of stories of build-ings referred to in any part of this ordinance.

8. Court. Enclosed. The term "en-closed court" when used in this or-dinance means an open unoccupied space surrounded on all sides by walls, or by walls and a lot line.

9. Court, Outer. An open unoccu-pied space opening on to a street, alley or yard.

10. Dwelling. Any building, or por-tion thereof, which is designed or used exclusively for residential pur-poses.

11. Dwelling—One Family. A build-ing designed for or occupied exclusive-ly by one family.

12. Dwelling—Two Family. A build-
ing designed for or occupied exclusively by two families or
more—Multiple. A building designed for or occupied by
more than two families.

14. Family. A group of one or
more persons occupying a premises and
living as a single housekeeping
unit, as distinguished from a group
occupying a boarding house, lodging
house, or hotel, as herein defined.

15. Garage, Private. A garage with
a capacity of not more than four (4);
power-driven vehicles for storage
only, and which shall be an neces-
sary to a dwelling. A private garage
may exceed a four (4) vehicle
capacity provided the area of the lo-
whereon such a private garage is to
be located shall contain not less
than one thousand (1000) square feet
for each vehicle stored.

16. Garage, Public. Any premises
except those described as a private
or storage garage, used for the stor-
age or care of power-driven vehicles
or where any such vehicles are
equipped for operation, repaired, or
maintained, for sale, hire, or rental.

17. Garage, Wholesale. Any pre-
misses, except those described as a pri-
vate or public garage, used exclusi-
vely for the storage of power-driven
vehicles.

18. Height of Building. The ver-
tical distance measured from the
highest ground level at the building
to the highest point of the roof beams
in ease of flat roofs, to the deck line of
the roof of hip and gable roofs, and
to the mean height level between eaves
and ridge for gable, hip and gable-
roofed buildings.

19. Hotel. Any building occupied
as the abiding place of persons,
who are lodged with or without meals;
it which, as a rule, the rooms are occu-
pied singly for hire; and in which
there are more than fifty (50) sleep-
ing rooms.

20. Lodging House. A dwelling
other than a hotel where lodging for
compensation is provided for five or
more persons.

21. Lot. Any parcel or lot of land
occupied or to be occupied by a build-
ing and its accessory buildings and
including, as a matter of record, spaces as
are required under this ordinance,
and having frontage either on a public
street, an officially approved place or
a private residence street of record
at the time of the passage of this
ordinance.

22. Lot, Corner. A lot fronting on
two or more streets at their intersec-
tion.

23. Lot, Interior. A lot other than
a corner lot.

24. Lot, Through. An interior lot
having frontage on two streets.

25. Lot Lines. Lines bounding a
lot, as defined herein.

26. Non-Conforming Use. Any use
of a building or premises that does
not conform with the regulations of
the Use District in which it is situ-
ated.

27. Place. An open unoccupied
space dedicated to purposes of access
to abutting property.

28. Stable, Private. A stable with
a capacity for not more than four (4)
horses or mares.

29. Story. That portion of a build-
ing included between the surface of
any floor and the surface of the floor
next above it, or if there be no floor
above it then the space between such
floor and the ceiling above it.

30. Story-1/2. Any structure
immediately under a sloping roof, which
has the point of intersection of the top
of the rafters and the face of the walls
to not exceed three (3) feet
above the top floor level, the floor
area of which does not exceed two-
thirds of the area immediately below it,
and which does not contain an
independent apartment.

31. Structure. Any building,
through thirty (30) feet or more in width.

32. Structural Alteration. A change
in the use of the supporting members
of a building.

33. Yard. Any space in the same
lot with a building, open and unob-
structed from the ground to the sky.

34. Yard—Front. The minimum
horizontal distance between the
center of the street line and the any pro-
jection thereof other than steps, un-
enclosed balconies and unenclosed
porches.

35. Yard—Rear. The yard between
the rear of the building and the lot
line most nearly parallel thereto.

36. Yard—Side. The yard be-
 tween the side of the building and the lot
line most nearly parallel thereto and

7. Uses customarily incidental to
any of the above purposes, including:
A—One (1) name plate of the occu-
pant of a premises which shall not
exceed one (1) square foot in area.

B—One (1) sign plate, name sign
or bulletin board, at the entrance to

8. Multiple Dwelling Districts.

Section Three. In the Residence
District no building or premises shall
be used and no building theretofore
shall be erected for struc-

C—One (1) plate, name sign
or bulletin board, at the entrance to

D—One (1) name plate of the occu-
pant of a premises which shall not
exceed one (1) square foot in area.
a hotel, apartment or church or similar institution, and which shall not exceed twenty-five (25) square feet in area.

D—Concessions and service accessible only from within a building.

Commercial District.

Section Five. In the Commercial District all buildings and premises may be used for any purpose except the following:
1. Bakery, wholesale.
2. Blacksmith or horseshoeing shop.
3. Bottling works.
4. Building material storage yard.
5. Carting, express, hauling or storage yard.
6. Contractor's plant or storage yard.
7. Cooperage works.
8. Dying and cleaning works (employing in the trade the premises more than five (5) persons).
9. Fish packing, smoking and curing.
10. Fuel distributing plants and fuel storage yards, wholesale.
11. Meat plant or ice storage house, wholesale.
12. Laundry.
13. Livery stable, live stock barn or corral.
14. Lumber yard.
15. Machine shop (employing more than ten (10) persons).
16. Milk distributing station, wholesale.
17. Paint mixing, wholesale.
18. Planing Mill.
19. Poultry killing, dressing, or live storage except for retail sale on the premises.
20. Public storage warehouse.
22. All uses excepted from the Industrial District.
23. Any manufacture other than the manufacture of products clearly incidental to the conduct of a retail business conducted on the premises.

Industrial District.

Section Six. In the Industrial District all buildings and premises may be used for any purpose except the following:
1. Flour mill.
2. Acetylene Gas manufacture.
3. Acid manufacture.
4. Ammonia, bleaching powder or chlorine manufacture.
5. Arsenal.
6. Asphalt manufacture or refining.
7. Bag cleaning.
8. Blast furnace.
10. Brick, tile or terra cotta manufactured.
11. Candle manufacture.
12. Celluloid manufacture.
13. Cement, lime, gypsum or plaster of Paris manufacture.
15. Creosote treatment or manufacture.
16. Dextrine, glucose and starch manufacture.
17. Distillation of bones, coal or wood.
18. Dye stuff manufacture (not including chemical dyes).
19. Emery, emery cloth and sand paper manufacture.
20. Fat rendering.
21. Fertilizer manufacture.
22. Fireworks or explosive manufacture or storage.
23. Flour milling.
24. Forge place.
25. Fuel manufacture.
26. Gas (Illuminating or heating) manufacture.
27. Glass manufacture.
28. Glue, size or gelatine manufacture.
29. Incineration, reduction or dumping of garbage, dead animals, offal or refuse.
30. Iron, steel, brass or copper works or foundry (unless electrically operated).
31. Lamp black manufacture.
32. Match manufacture.
33. Meat packing.
34. Oilcloth or linen manufacture.
35. Oiled goods manufacture from raw materials.
36. Ore reduction.
37. Paper pulp manufacture.
38. Paint materials manufacture.
39. Petroleum products refining (or wholesale storage thereof).
40. Potash or washing soda manufacture.
41. Printing ink manufacture.
42. Pyroxylin manufacture.
43. Rock crushing.
44. Rolling mill.
45. Rubber or gutta percha manufacture.
46. Salt works.
47. Saw mill.
48. Smelting or refining of metals.
49. Soap manufacture from refuse.
50. Stack yard, corral or pen.
51. Stone mill or quarry.
52. Storage of scrap paper, iron, bottles, rags or junk.
53. Stove or ash polishes manufacture.
54. Sugar refining.
55. Tanning, curing or storage of green salted hides or skins, or leather dressing or coloring.
56. Tar distillation or manufacture.
57. Tar rooing or water proofing manufacture.
58. Tobacco (chewing) manufacture or treatment.
59. Vinegar, sauerkraut or pickles manufacture.
60. Wool pulling or scouring.
61. Yeast manufacture.
62. Any use which is a nuisance per se.

Unrestricted District.

Section Seven. In the Unrestricted District buildings and premises may be used for any purpose whatsoever not in conflict with any ordinance of the City of St. Louis regulating nuisances; provided, however, that no premises shall be occupied or no permit shall be issued for any of the following uses unless the location of such use shall have been approved and a special permit granted by the Board of Public Service.
1. Acid manufacture.
2. Cement, lime, gypsum or plaster of Paris manufacture.
3. Fireworks, explosives, manufacture or storage.
4. Fertilizer manufacture and potash refining.
5. Fuel manufacture.
6. Garbage, offal or dead animals, reduction or dumping.
7. Glue manufacture, fat rendering or distillation of bones.
8. Petroleum refining.
9. Smelting or refining of metals.
10. Stack yard or abattoir.
11. Stone mill or quarry.

Non-Conforming Use.

Section Eight. The lawful use of land existing at the time of the adoption of this ordinance, although such use does not conform to the provisions hereof, may continue.

The lawful use of a building existing from the adoption, amendment, supplement or change of this ordinance may continue, although such use does not conform with the provisions hereof, and such use may be extended throughout the building, provided no structural alterations, except those required by law or ordinance, are made therein. If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or a more restricted classification. Any building which has been designed and erected for a definite purpose and is used for such purpose before the passage of this ordinance shall be permitted to be continued for such use, even though non-conforming, even in view of a lapse of time having existed between the discontinuance of its use and the recommencement of same.

The Board of Public Service will have the power, and it shall be its duty:
1. To permit a temporary building in a residence or multiple dwelling district, where such temporary building is incidental to the residential development, such permit to be issued for not more than one (1) year.
2. To permit the erection or extension or use of a building or the use of a premises in any location for a public service corporation for public utility purposes which is clearly necessary for the public convenience or welfare.
3. To permit, dwelling accommodations for servants within an accessory building in the Residential District.
4. To issue special permits for the occupancy of premises for the uses enumerated in Section Seven hereof, when not in conflict with any ordinances of the City of St. Louis regulating nuisances.

Height and Area Districts.

Section Nine. In order to regulate and determine the height and area of buildings hereafter erected, reconstructed or structurally altered and to regulate and determine the area of
yards or other open spaces surrounding buildings, the City of St. Louis is hereby divided into districts of which there shall be five (5) known as:

A" Height and Area District.
B" Height and Area District.
C" Height and Area District.
D" Height and Area District.
E" Height and Area District.

The height of buildings, shown on the plat attached hereto and made a part of this ordinance, are hereby established, said map being designated as the "Height and Area District Map of the City of St. Louis, showing Districts for Height and Area Regulations," and said map and all the notes, references and other information thereon shall be as much a part of this ordinance as if the matters and information set forth by said map were fully described herein. Except as hereinafter provided no building shall be erected, reconstructed or structurally altered except in conformity with the regulations herein established for the Height and Area District in which such building is located.

Section Ten. "A" Height and Area District. The height of buildings, and the minimum dimensions of yards or courts shall be as follows:

Height—Except as hereinafter provided those provided in Clause L of Section Fifteen, no building shall exceed forty-two (42) feet or three (3) stories.

Rear Yard—There shall be a rear yard having a minimum depth of twenty-five (25) feet except on corner lots. In computing the depth of a rear yard, the length of an alley shall be considered to be a part of the rear yard. Where an alley does not exist a side yard of at least ten (10) feet in width must be provided.

Side Yard—There shall be a side yard on each side of building of not less than four (4) feet in width, provided, however, that on a lot having a width of forty (40) feet or less, and on record or by existing contract of purchase at the time of the passage of this ordinance, there shall be a side yard on each side of a building of not less than five (5) feet in width.

Front Yard—Except as hereinafter provided those provided in Clause L of Section Fifteen, where twenty-five (25) percent or more of all property according to front feet on one (1) side of a street between twenty-five (25) and forty (40) feet in width, the property abutting upon a public alley one-half (1/2) of the alley shall be deemed a part of the rear yard. Alley shall not be assumed to be less than fifteen (15) feet in width.

Section Eleven. "B" Height and Area District. The height of buildings and the minimum dimensions of yards or courts shall be as follows:

Height—No building shall exceed eighty-five (85) feet or eight (8) stories.

Rear Yard—There shall be a rear yard having a minimum depth of seventeen & one-half (17 1/2) feet on lots extending across the entire width of the front yard, provided, however, where the rear of such lot abuts upon a public alley one-half (1/2) of the alley shall be deemed a part of the rear yard. Alley shall not be assumed to be less than fifteen (15) feet in width.

Section Twelve. "C" Height and Area District. The height of buildings and the minimum dimensions of yards or courts shall be as follows:

Height—Buildings may be erected to such height that the critical contents of said buildings shall not exceed the volume of a building one hundred and twenty-five (125) feet in height and having the prescribed yards or courts as defined herein.

Rear Yard—There shall be a rear yard having a minimum depth of seventeen & one-half (17 1/2) feet on lots extending across the entire width of the lot, provided, however, that no building shall hereafter be erected or structurally altered so as to project beyond such mean (average) front yard line.

Where the building line shown on the plat of record is less than twenty-five (25) feet, this line shall be observed.

4. In all other instances not provided for by the preceding regulations there shall be a front yard depth of not less than twenty-five (25) feet, except that building on corner lots shall not be limited to such depth. Buildings on corner lots shall observe the front yard line established on those sides of a block upon which interior lots have been platted and are of record or by existing contract of purchase, provided this shall not be interpreted as to reduce the building width of a corner lot to less than twenty-six (26) feet nor the building depth to less than fifty (50) feet in any instance.

Enclosed Courts—If enclosed courts are provided they shall be at least six (6) feet in width, but no case shall exceed the width of less than one and one-half (1 1/2) inches in width for each foot of building height and the length shall equal twice the width or have area equivalent thereto.

Outer Courts—If outer courts are provided they shall be at least four (4) feet in width, but no case shall exceed the width of less than one and one-half (1 1/2) inches in width for each foot of building height and the length shall equal twice the width or have area equivalent thereto.

4. These regulations shall not be interpreted as to require a front yard line of more than fifty (50) feet in any instance.

Enclosed Courts—If enclosed courts are provided they shall be at least six (6) feet in width, but in no case shall the width be less than two (2) inches for each foot of building height and the length shall equal twice the width or have area equivalent thereto.

Outer Courts—If outer courts are provided they shall be at least four (4) feet in width, but in no case shall the width be less than one and one-half (1 1/2) inches in width for each foot of building height and the length shall equal twice the width or have area equivalent thereto.

Section Twelve. "D" Height and Area District. The height of buildings and the minimum dimensions of yards or courts shall be as follows:

Height—Buildings may be erected to such height that the critical contents of said buildings shall not exceed the volume of a building one hundred and twenty-five (125) feet in height and having the prescribed yards or courts as defined herein.

Rear Yard—There shall be a rear yard having a minimum depth of seventeen & one-half (17 1/2) feet on lots extending across the entire width of the lot, provided, however, that no building shall hereafter be erected or structurally altered so as to project beyond such mean (average) front yard line.

Where the building line shown on the plat of record is less than twenty-five (25) feet, this line shall be observed.

4. In all other instances not provided for by the preceding regulations there shall be a front yard depth of not less than twenty-five (25) feet, except that building on corner lots shall not be limited to such depth. Buildings on corner lots shall observe the front yard line established on those sides of a block upon which interior lots have been platted and are of record or by existing contract of purchase, provided this shall not be interpreted as to reduce the building width of a corner lot to less than twenty-six (26) feet nor the building depth to less than fifty (50) feet.

4. These regulations shall not be so interpreted as to require a front yard line of more than fifty (50) feet in any instance.

Enclosed Courts—If enclosed courts are provided they shall be at least six (6) feet in width, but in no case shall the width be less than two (2) inches for each foot of building height and the length shall equal twice the width or have area equivalent thereto.

Outer Courts—If outer courts are provided they shall be at least four (4) feet in width, but in no case shall the width be less than one and one-half (1 1/2) inches in width for each foot of building height and the length shall equal twice the width or have area equivalent thereto.

Section Twelve. "E" Height and Area District. The height of buildings and the minimum dimensions of yards or courts shall be as follows:

Height—Buildings may be erected to such height that the critical contents of said buildings shall not exceed the volume of a building one hundred and twenty-five (125) feet in height and having the prescribed yards or courts as defined herein.

Rear Yard—There shall be a rear yard having a minimum depth of seventeen & one-half (17 1/2) feet on lots extending across the entire width of the lot, provided, however, that no building shall hereafter be erected or structurally altered so as to project beyond such mean (average) front yard line.

Where the building line shown on the plat of record is less than twenty-five (25) feet, this line shall be observed.

4. In all other instances not provided for by the preceding regulations there shall be a front yard depth of not less than twenty-five (25) feet, except that building on corner lots shall not be limited to such depth. Buildings on corner lots shall observe the front yard line established on those sides of a block upon which interior lots have been platted and are of record or by existing contract of purchase, provided this shall not be interpreted as to reduce the building width of a corner lot to less than twenty-six (26) feet nor the building depth to less than fifty (50) feet.
of the passage of this ordinance is built up with buildings, a majority of which have observed or conformed to
a mean (average) front yard line with a height of more than six
(6) feet, no building shall hereafter be erected or structurally altered so as to project beyond such mean (average) front yard line.

2. Where the building line shown on the plat of record is less than twenty-five (25) feet, this line shall be observed.

3. In all other instances not provided for by the preceding regulation there shall be a front yard line of not less than twenty-five (25) feet, except that buildings on corner lots shall only observe the front yard line above established on those sides of a block upon which interior lots have been platted and are of record or by existing contract of purchase, provided this regulation shall not be so interpreted as to reduce the buildable width with any lot to less than twenty-nine (29) feet nor the buildable depth to less than fifty (50) feet.

4. These regulations shall not be so interpreted as to require a front yard line of more than fifty (50) feet in any instance.

Enclosed Courts—If enclosed courts are provided they shall have a width of not less than six (6) feet, but in no case shall they be less than two (2) inches wide for each foot of build-
ing height, and the length of such enclosed courts shall equal twice the width and have area equivalent thereto. Outer Courts—If outer courts are provided they shall have a width of not less than four (4) feet, but in no case shall they be less than one (1) inch in width for each foot of build-
ing height and in no case shall the width of such outer courts be less than one (1) inch in width for each foot of length from the closed end.

Section Thirteen. "E" Height and Area District. The height of build-
ings and the minimum dimensions of yards and courts shall be as follows: provided, however, that buildings hereafter erected or structurally altered, in whole or in part, for residential purposes shall comply with the side yard and rear yard regula-
tions of the "C" Height and Area District in that part of the building, according to stories, which is designed, used or intended for occupancy for residential purposes:

Height—Except as hereinafter provided, buildings may be erected to such height that the cubical contents of said building above the established grade shall not exceed the volume of a prism having a base equal to the projected horizontal area of the building, and a height of one hundred fifty (150) feet.

In the case of buildings occupying a lot having frontage on intersect-
ing streets, and which buildings are so designed as to provide a set-back or open space at the corner or corners where such street intersections occur, or which set back on the street fronts, when such set-backs begin below the one hundred fifty (150) foot height above the established grade, the volume determined by the above rule may be exceeded by an amount equal to the volume so taken out of the reference prism of one hundred fifty (150) feet height, provided, however, that the total volume of the actual building shall not exceed by more than twenty-five (25) per cent the volume of said reference prism of one hundred fifty (150) foot height.

Enclosed Courts—Enclosed courts are provided they shall be not less than four (4) feet in width, but in no case be less than one (1) inch in width for each foot of building height, and the length of each enclosed court shall equal twice its width and have area equivalent thereto.

Outer Courts—If outer courts are provided they shall be not less than four (4) feet in width, but in no case be less than one (1) inch in width for each foot of building height, and in no case less than one (1) inch wide for each foot of length from the closed end.

Section Fourteen. "F" Height and Area District. The height of build-
ings and the minimum dimensions of yards and courts shall be as follows: provided, however, that buildings hereafter erected or structurally altered, in whole or in part, for residential purposes shall comply with the side yard and rear yard regula-
tions of the "C" Height and Area District in that part of the building, according to stories, which is designed, used or intended for occupancy for residential purposes:

Height—Buildings, except as hereinafter provided, may be erected to such height that the cubical contents of said building above the established grade shall not exceed the volume of a prism having a base equal to the projected horizontal area of the building, and a height of two hundred (200) feet. In the case of buildings occupying a lot having frontage on intersecting streets and which buildings are so designed as to provide a set-back or open space at the corner or corners where such street intersections occur, or which set back on the street fronts, when such set-backs begin below the two hundred (200) foot height above the established grade, the volume determined by the above rule may be exceeded by an amount equal to the volume so taken out of the reference prism of two hundred (200) feet height, provided, however, that the total volume of the actual building shall not exceed by more than twenty-five (25) per cent the volume of said reference prism of two hundred (200) foot height.

Enclosed Courts—If enclosed courts are provided they shall be not less than four (4) feet in width, but in no case be less than one (1) inch in width for each foot of building height, and in no case less than one (1) inch wide for each foot of length from the closed end.

Section Fifteen. Use, Height and Area Exceptions. The foregoing re-
quirements in the Use, Height and Area Districts shall be subject to the following exceptions and regulations:

Use—Where seventy-five (75) per cent or more of the floor area provided on both sides of a street between two (2) intersecting streets has been built up with single family dwellings, and is zoned as an "A" Height and Area District, no other building shall be erected thereon unless it is a single family dwelling.

Height—That in the forty-two (42) foot height district, not more than eighty-five (85) feet may be erected on any lot, nor more than eighty-five (85) feet when front and rear yards are increased in width to one (1) foot for each foot of height that the building exceeds the height limit of the district in which such building is located.

C—One-family dwellings in the "A" Height and Area District may be in-
creased in height by not more than ten (10) feet when two (2) side yards of not less than ten (10) feet in width are provided. Such dwellings, how-
ever, shall not exceed three (3) stories in height.

D—The height of chimneys, tow-
ers, penthouses, scenery lofts, grain elevators and other structures, spires and necessary mechanical app-
arrantes shall be regulated in ac-
cordance with the ordinances of the City of St. Louis.

E—On lots one hundred and twenty (120) feet or less in depth the height of a building may be measured from the street level on either street. On through lots more than one hundred and twenty (120) feet deep the height regulations and basis of height measurements for the street permitting the greater height shall apply to a depth of not more than one hundred and twenty (120) feet from that street.

Area—For the purpose of area regu-
lations a two-family dwelling shall be considered as one (1) building occupying one (1) lot, except in the case of a corner

lot.

G—Where a building is used part.
ly for business and partly for dwell-
ing purposes, the requirements for a side yard may be waived, but if a side yard is provided it shall have a minimum width as prescribed by the district in which such building is located.

H—Where dwellings are erected
above stores in a Commercial, Industrial or Unrestricted District side yards are not required, but where side yards are not provided there shall be an enclosed or outer court to provide light and air for the residential portion of the building in accordance with the provisions of this ordinance.

I.—An accessory building shall not occupy more than thirty (30) percent of the area of a required rear yard, nor shall it exceed fifteen (15) feet in height except as provided in Section 8, Clause 4.

J.—Every part of a required side yard shall be open and unobstructed to the sky, except for the ordinary projections of sills, belt courses and cornices; provided, however, that none of the above shall project more than fourteen (14) inches.

K.—Pierced escapes, stairways, balconies, and marquee projecting not more than five (5) feet into a yard and the ordinary projections of chimneys and pilasters, may be permitted by the Building Commissioner where same are so placed as to not obstruct light and ventilation.

L.—A front yard shall not be required. The frontage of a street between two (2) intersecting streets is wholly within a Commercial, Industrial or Unrestricted District.

M.—Where all of the frontage on one (1) side of a street between two (2) intersecting streets is wholly within a Commercial, Industrial or Unrestricted District, front yard lines herein described shall be the same as that of the street adjacent to any residence or multiple dwelling districts on intersecting streets, shall be waived for the first one hundred (100) feet of lot depth from the corner, beyond which point the front yard line shall set back at an angle of eleven and one-half (11½) degrees one (1) foot for each five (5) feet to the point of intersection with the established front yard line on the opposite side; however, where the rear of such corner lot abuts on an alley this provision does not apply.

Section Sixteen. Board of Adjustment. A Board of Adjustment is hereby established. The word "Board" when used in this section shall be construed to mean Board of Adjustment. The Board shall consist of five (5) members who shall be Freeholders and who shall be appointed by the President of the Board of Aldermen in accordance with the following procedures: One (1) of the five (5) members shall be a structural engineer of not less than ten (10) years professional experience; one (1) member shall be an architect of not less than ten (10) years professional experience; one (1) member shall be a real estate dealer of not less than ten (10) years experience; and the remaining two (2) members shall be appointed at large. The term of office of the members of the Board of Adjustment shall be for five (5) years; excepting that the five (5) members first appointed shall serve respectively for terms of one (1) year; two (2) years; three (3) years; four (4) years and five (5) years; thereafter members shall be appointed for terms of five (5) years each. Vacancies shall be filled by the unexpired term of the member where same are so placed as not to obstruct light and ventilation.

The Board may grant exceptions to the provisions of this ordinance, provided such exceptions are not inconsistent with the purposes of this ordinance and do not constitute an open public nuisance. The Board shall have the power to make exceptions to the provisions of this ordinance, provided such exceptions are not inconsistent with the purposes of this ordinance and do not constitute an open public nuisance.

Meetings.—Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. Notice of all meetings of the Board shall be given by mail or in writing to each member of the Board at least five (5) days prior to the meeting. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, and shall keep records of its examinations and proceedings, and of all of which shall be immediately filed in the office of the Board and shall be public records.

Appeals.—Appeals to the Board may be taken by any person aggrieved by any order, decision or determination made by the Building Commissioner or the Board of Public Service in the enforcement of this ordinance. The Board shall have the power to hear and decide appeals in accordance with the provisions of this ordinance.

1. To hear and decide appeals where it is alleged there is error in any order, decision or determination made by the Building Commissioner or the Board of Public Service in the enforcement of this ordinance.

2. To permit the reconstruction, within twelve (12) months, of a building located in a district restricted against its use, which has been partially destroyed by fire or other calamity, exclusive of the foundation, provided that when such reconstruction becomes involved in litigation, the time required for such litigation shall not be counted as a part of the twelve (12) months allowed for reconstructions.

3. To permit the extension of a use or height and area district where the boundaries of the district divide a lot in a single ownership at the time of the passage of this ordinance.

4. To interpret the provisions of this ordinance in such a way as to carry out the intent and purpose of the law, as long as such construction does not affect the validity of the maps fixing the several districts accompanying and making a part of this ordinance where the street layout actually ground varies from the street layout as shown on the maps aforesaid.

5. To vary or modify the application of any of the regulations or provisions of this ordinance where there are practical difficulties or unnecessary hardships created by the strict letter of this ordinance, so that the spirit of the ordinance shall be observed, public safety and welfare secured, and the purpose of this ordinance done; provided, however, that every such variation or modification shall be set forth in the maps fixing the several districts accompanying and making a part of this ordinance where the street layout actually ground varies from the street layout as shown on the maps aforesaid.

6. To exercise the power of the Board of Aldermen and embodied in this ordinance by way of an amendment thereto before the same shall become effective.

In exercising the above mentioned powers the Board may, in conformity with the provisions of this ordinance, reverse or affirm, wholly or partly or may modify, the order, requirement, decision or determination appealed from and made by the Board, or may make such order, requirement, decision or determination as shall be just, and to that end, shall have all the powers of the Building Commissioner or the Board of Public Service. The concurrence of the majority of the members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Building Commissioner or the Board of Public Service, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance and no variation in this ordinance; provided, however, that the action of the Board...
in each and every case shall be certified to the clerk of Aldermen and the approval of such action by the Board of Aldermen shall be necessary before such occupation shall become effective. Any person or persons jointly or severally aggrieved by any decision of the Board of Adjustment may present to the Clerk of the City of St. Louis, a petition duly verified, setting forth that such decision is illegal, in whole or in part, and specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after such decision shall be placed on record in the office of the Board. Upon the presentation of such petition the court may appoint a committee of three to be selected by the party or parties aggrieved to report to the Board of Aldermen direct to the Board to review such decision of the Board and shall prescribe therein the time within which a return therefor may be made and served upon the relator's attorney, which shall be not less than ten (10) days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, in its discretion, stay proceedings until the Board of Aldermen has satisfactorily complied with the requirements of this section.

Section Seventeen. Certificates of Occupancy. Hereafter no person shall use or permit the use of any building or premises, whether erected, created, changed or converted wholly or partly in its use or structure used or occupied for the purpose of making a certificate of occupancy stating that the building and premises comply with the building code and the provisions of these regulations; provided that nothing in this section shall prevent the continuance of the occupancy or use of any premises or of any existing building. Certificates of occupancy and compliance shall be issued within ten (10) days after written application thereof, or if erection or alteration of buildings is contemplated, within ten (10) days after such erection or alteration is completed to the point of availability for occupancy and use. A record of all certificates shall be kept on file in the office of the Building Commissioner and copies shall be furnished, upon application, to any person, for a fee of five dollars ($5.00) for each copy thereof. No permit for the erection of any building shall be issued until a certificate of occupancy has been issued. No building or premises may be used or occupied until such certificate shall have been issued.

Section Eighteen. Plats. All applications for building permits shall be accompanied by a plat in duplicate drawn to scale, showing the actual dimensions of the lot to be built upon, and the buildings to be erected, and such other information as may be required by the Building Commissioner, which is necessary to provide for the enforcement of this ordinance. No yard or other open space provided for in the plat or by ordinance, or other open space provided by the provisions of this ordinance shall again be used as a yard or other open space for another building.

Section Nineteen. Standards of Districts. Where uncertainty exists with respect to the boundaries of the various districts as shown on the maps accompanying and made a part of this ordinance and indicating the various districts are approximately bounded by streets or alley lines, said street or alley shall be considered to be the boundary of such district. Where the district boundaries are not otherwise indicated, and where the property has been or may hereafter be divided into lots, the district boundaries shall be construed to be lot lines, and where the designation on the maps accompanying and made a part of this ordinance indicating the various districts are approximately bounded by lot lines, said lot lines shall be construed to be the boundary of such district, unless said boundaries are otherwise indicated on the maps.

Section Twenty. Interpretation, Penalties, and Procedures. In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity and general welfare. It is not the intention that any provision of this ordinance shall be so strict as to create a nuisance or to abridge or annul any easements, covenants or other agreements between parties; provided, however, that in the event this ordinance imposing a greater restriction upon the use of building or premises or upon the use of open space than are imposed or required by other ordinances, rules, regulations, permits, easements, covenants or agreements, the provisions of this ordinance shall govern.

Section Twenty-one. Changes and Amendments. The Board of Aldermen may from time to time, on its own motion or on petition, after public notice and hearing, as provided by law, amend, supplement or change the boundaries or regulations herein or subsequently established. In case, however, of a protest against such changes, the Board of Aldermen shall submit the question to the vote of the residents of the area affected to be determined by a majority vote of all the members of the Board of Aldermen.

Section Twenty-three. Violation and Penalty. The owner of a building or premises in or upon which a violation of any provision of this ordinance has been committed or shall exist, or the lessee of entire building or entire premises in or upon which violation is committed, shall be guilty of a misdemeanor punishable by a fine of not less than ten dollars ($10.00) and not exceeding one hundred dollars ($100.00) for each and every day that such violation continues, and failure to pay the fine within ten (10) days after receipt of notice thereof, or within such other period as the Board may determine by rule, shall be guilty of a misdemeanor punishable by a fine of not less than ten dollars ($10.00) and not exceeding one hundred dollars ($100.00). Any person, firm, association, company or corporation, who, having been served with an order to remove any such violation, shall fail to comply with said order within ten (10) days after such service, shall be liable for the costs of removing the same, and such costs shall be assessed against such person, firm, association, company or corporation, and may be recovered as a judgment in any court of competent jurisdiction.

Section Twenty-four. Enforcement. The Board of Aldermen may from time to time, on its own motion or on petition, after public notice and hearing, as provided by law, amend, supplement or change the boundaries or regulations herein or subsequently established. In case, however, of a protest against such changes, the Board of Aldermen shall submit the question to the vote of the residents of the area affected to be determined by a majority vote of all the members of the Board of Aldermen.