

ARTICLE VIII: PERMITS AND PLAT APPROVAL

Section 8.1: PERMITS REQUIRED

- A.** The use made of property may not be changed, substantially cleared (except for agricultural purposes), graded, or excavation may not be commenced, and buildings or other substantial structures may not be constructed, erected, moved, or substantially altered except in accordance with and pursuant to one or more of the following permits or approvals:
1. A zoning permit issued by the Planning and Zoning Administrator.
 2. A conditional use permit granted by the Planning and Zoning Commission.
 3. A final subdivision plat or PUD approved as stated by the Planning and Zoning Commission and duly recorded by the Office of the Recorder of Deeds.
 4. Solar energy farm and a solar overlay district.
- B.** Permits and approvals are granted under the provisions of the Order only when a review of the application submitted, including any plans contained therein, indicates that the development will comply with the Order if completed as proposed. Such plans and applications as are finally approved are incorporated into any permit issued, and except as otherwise provided in the Order, all development shall occur strictly in accordance with such approved plans and applications.
- C.** Physical improvements to land may not be commenced except in accordance with the provisions of the Order, whether after issuance of a zoning permit, conditional use permit, approval of a PUD on minor, preliminary, or final plat as stated by the Planning and Zoning Commission.
- D.** An application for a permit required by the Zoning Order shall be submitted in such form as the Planning and Zoning Commission, Planning and Zoning Administrator and/or the County Commission may from time to time prescribe. Such application shall be made by the owner or lessee, agent of either, or the architect, engineer or builder employed in connection with the proposed action. If such application is made by a person other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner in fee, or the person making the application, that the proposed work is authorized by the owner in fee and that the person making the application is authorized by the owner in fee to make such application. Such application shall succinctly describe the proposed action, and shall give such additional information as may be required by the Planning and Zoning Administrator. All applications shall be accompanied by a fee deposit in the amount established by the County Commission for the type of permit requested. Any portion of the deposit not required to cover the costs associated with issuing the permit, to include court reporter fees, publication costs and Zoning Administrator processing time shall be refunded to the person who made the deposit. Likewise, if there is a balance due after the deposit is applied the applicant shall be required to pay the balance prior to any permit being issued.

- E. Issuance of permits, as described above, authorizes the recipient to commence the activity specifically described, permitted, or authorized by the permit or plat. The proposed activity may not be commenced, no building or mobile home may be occupied and in the case of subdivisions, no lots may be sold until all of the requirements have been met.
- F. No permit or approval pursuant to the Order shall be granted to any applicant while said applicant is in violation of any of the provisions of the Order, unless permission therefore is specifically granted by the permit issuing authority. The only exception to the provision shall be for permits specifically intended to remedy said violation(s).
- G. It shall be unlawful for any electrical, gas, telephone or water utility to connect its lines to any building, structure or site in the County unless the appropriate permit or approval has been granted by the appropriate County authority and is displayed on said building, structure or site.

Section 8.2: APPLICATIONS TO BE COMPLETE

- A. All applications for permits must be complete before the permit issuing authority is required to consider the application. Incomplete applications shall be rejected.
- B. An application is complete when it contains all the information necessary for the permit issuing authority to decide whether or not the development, if completed as proposed, will comply with all the requirements of the order, and all fees are paid in full.
- C. The permit issuing authority shall make every effort to develop application forms, instructional sheets, checklists, or other techniques or devices to assist applicants in understanding the application requirement and the form and type of information that must be submitted. The Planning and Zoning Administrator shall develop standard forms which will expedite the submission of the necessary plans and other required information, as appropriate.

**Section 8.3: ZONING PERMITS & CONDITIONAL USE PERMITS:
EXPIRATION OF PERMITS**

- A. Conditional Use Permits issued pursuant to the Zoning Order shall not expire but shall terminate upon the discontinuance of the use which has been permitted with conditions, the permitted use is modified without permission or the permit is revoked in the manner as required by the Zoning Order.
- B. This Section shall also apply to permits issued prior to the date this section becomes effective.

Section 8.4: ZONING PERMITS

- A. Except as hereinafter provided, no structure shall be erected, constructed, reconstructed, moved or altered, nor shall any structure or land be used for any purpose other than is permitted by the terms of the Order in the district in which such structure or land is situated. Any use which is not expressly permitted by the terms of this Order shall be deemed to be prohibited by the Order, except that

accessory uses are impliedly permitted even where not expressly described or expressly permitted. In addition, no structure or use for which the order requires a wastewater treatment system shall be erected, constructed, reconstructed or moved unless said structure is connected to a central sewer system, or if such central sewer system is not reasonably accessible, to an individual sewage disposal system. All such individual sewage systems shall comply with the On-Site Septic Systems Order of Warren County, Missouri.

- B.** It shall not be lawful to erect, construct, reconstruct, enlarge, alter or repair a structure or to commence the use or improvement of any land subject to the Order without first filing with the Planning and Zoning Administrator an application in writing and obtaining a permit from the Planning and Zoning Administrator.
- C.** An application for a permit shall be submitted in such form as the County Commission may from time to time prescribe. Such application shall be made by the owner or lessee, or agent of either, or the architect, engineer or builder employed in connection with the proposed action. If such application is made by a person other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner in fee, or the person making the application, that the proposed work is authorized by the owner in fee and that the person making the application is authorized by the owner in fee to make such an application. Such application shall describe briefly the proposed action, and shall give such additional information as may be required by the Planning and Zoning Administrator.
- D.** The Planning and Zoning Administrator, or his designated representative, shall review the zoning application to ensure the proposed use is permitted in the zoning district wherein it is located, and based on this review shall either approve or deny the application.
- E.** Nothing contained in the order shall require any change in plans, construction, size or designated use of a structure for which a valid permit has been issued or lawful approval given before the effective date of the Order.
- F.** All work performed under a permit shall conform to the approved application and any approved amendments thereto.
- G.** If no work has commenced within one (1) year after the issuance of a permit, said permit shall be null and void.
- H.** A copy of every permit issued pursuant to this Order shall be prominently posted on the premises throughout the duration of the work thereunder and until the completion of the same.
- I.** The Planning and Zoning Administrator may revoke a permit issued pursuant to the Order in cases where it is determined that there has been any false statement or misrepresentation of a material fact in the application on which such permit was based, or for other good cause shown.

Section 8.5: CONDITIONAL USE PERMITS

- A.** Applications for Conditional Use Permits for uses specifically authorized for consideration under the regulations of each district shall be made to the Planning and Zoning Commission, and shall be filed with the Planning and Zoning Administrator, along with the appropriate deposit and a list of the names and addresses of all owners of any real property located within one thousand (1000) feet of the property described in the applications, as shown on the tax records of Warren County.
- B.** The Planning and Zoning Administrator shall schedule the application for hearing by the Planning and Zoning Commission. Any such hearing may at the request of the applicant and for good cause shown, or at the discretion of the planning and Zoning Commission, be continued to a later date. The Planning and Zoning Administrator shall mail a notice of the public hearing on the application by both certified and regular mail to all of the adjoining owners who are entitled to notice under Missouri law and shall publish a notice of said hearing at least once in a local newspaper of general circulation in the County and shall post such notice in a public place at least fifteen (15) days prior to said hearing. The Planning and Zoning Commission, as part of its decision, may deny said application or may direct the Planning and Zoning Administrator to issue a Conditional Use Permit which embodies the conditions and restrictions imposed upon such permit by the Planning and Zoning Commission.
- C.** Uses lawfully existing on the effective date of the Order which would otherwise require conditional use permits under the regulations of the district in which they are located shall not be required to obtain conditional use permits, but shall require a conditional use permit for any subsequent alteration, enlargement or extension thereof.

Section 8.6: STANDARDS AND RECOMMENDATIONS ON GUIDANCE ON CONDITIONAL USE PERMIT APPLICATIONS

- A.** As part of the hearing, the Planning and Zoning Administrator shall present a report and recommendations to the Planning and Zoning Commission.
- B.** If the Planning and Zoning Administrator shall not accept for filing an application which is not complete
- C.** The Planning and Zoning Commission may deny said application or may direct the Planning and Zoning Administrator to issue a Conditional Use Permit which shall embody the conditions and restrictions imposed upon such permit by the Planning and Zoning Commission.
- D.** The Planning and Zoning Commission may impose such conditions on the issuance of a Conditional use Permit as will, in the Planning and Zoning Commission's sole discretion, insure that:
 - 1. The establishment, maintenance, or operation of the Conditional Use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;

2. The Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposed already permitted, not substantially diminish and impair property values within the area;
3. The establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
4. Adequate utilities, buffering, access roads, drainage, open spaces, and/or other necessary public services and facilities can and will be economically provided;
5. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public roads;
6. The Conditional Use shall, in all other respects, conform to the Order and all of the regulations contained therein, including, but not limited to, any specific conditions relating to the proposed Conditional Use and the applicable regulations of the district in which it is located.

Section 8.7: RECONSIDERATION OF APPLICATIONS

- A.** Whenever (1) the Planning and Zoning Commission denies an application for a Conditional Use Permit or an application for approval of a subdivision plat or (2) the County Commission denies a request for rezoning or (3) the Board of Zoning Adjustment disapproves an application for a variance, on any basis other than the failure of the applicant to submit a complete application, such action shall not be reconsidered by the respective Commission or Board within six (6) months of the date of disapproval, unless the applicant clearly demonstrates that:
 1. Circumstances affecting the property that is the subject of the application have substantially changed, or
 2. New information is available that could not, with reasonable diligence, have been presented at a previous hearing. A request to be heard on this basis must be filed with the Planning and Zoning Administrator within the time for an appeal to Circuit Court (usually thirty (30) days for such administrative action). However, such a request does not extend the period within which an appeal must be taken.
- B.** Notwithstanding subsection (A), the Planning and Zoning Commission may at any time, consider a new application affecting the same property as an application previously denied. A new application is one that differs in some substantial way from the one previously considered.

Section 8.8: AMENDMENTS TO AND MODIFICATIONS OF PERMITS AND APPROVED PLANS

All requests for changes in permits or approved plans will be processed as new applications as far as the hearing and procedural process is concerned but shall be considered as part of the original permit if there is common ownership, the real property affected is contiguous to the real property which is subject to the original permit and the modification or amendment is a continuation of the original use or is the addition of uses which support the original use. If any one of these requirements are not met the application shall be considered as an entirely new application. Regardless if an application is a new application or is an amendment or modification to an existing use the notice and hearing requirement established by Missouri law and these regulations for public hearings shall apply.

Section 8.9: CONDITIONAL USE PERMITS REMOVAL PROCESS

The Planning and Zoning Commission may revoke a Conditional Use Permit by voluntary request of the property owner or, in the case of alleged violations, upon application of the Zoning Administrator. No Conditional Permit shall be revoked without first affording to the owner the opportunity to be heard. The Planning and Zoning Commission shall hold a hearing on the application filed by the Zoning Administrator at which time the owner shall have the opportunity to be heard and to present evidence. At the conclusion of the hearing the Planning and Zoning Commission shall issue its decision to continue, terminate or modify the Conditional Use Permit.

Section 8.10: CONDITIONAL USE PERMITS: EFFECT OF PERMITS ON SUCCESSORS AND ASSIGNS

Conditional Use Permits are transferrable unless otherwise specified in the individual permit.

Section 8.11: CONDITIONAL USE PERMITS APPEAL PROCEDURE

- A.** If an applicant is aggrieved by a decision of the Planning and Zoning Commission regarding an application for a Conditional Use Permit, or an amendment thereto, the applicant may file an appeal with the County Commission. A Notice of Appeal shall be filed in duplicate with the County Clerk within ten (10) days after the Planning and Zoning Commission's decision and shall specifically state the basis for the appeal and how the Planning and Zoning Commission erred. Notice of Appeal shall be accompanied by a deposit in the amount as determined from time to time by the County Commission to cover all costs associated with the hearing and processing of the appeal.
- B.** A party other than the applicant aggrieved by a decision by the Planning and Zoning Commission regarding a Conditional Use Permit, or an amendment thereto, may file an appeal with the County Commission requesting a review by the County Commission. A Notice of Appeal shall be filed in duplicate with the County Clerk within ten (10) days after the Planning and Zoning Commission's decision. The appeal shall state with specificity the grounds for the appeal and how the Planning and Zoning Commission erred. Notice of Appeal shall be accompanied by a deposit in the amount as determined from time to time by the County Commission.

**Section 8.14: CONDITIONAL USE PERMIT, ZONING PERMIT, PLAT APPROVAL:
AUTHORIZATION OF USE OR SALE BEFORE COMPLETION OF DEVELOPMENT**

- A.** In cases when, because of weather conditions or other factors beyond the control of the Conditional Use Permit, Zoning or Plat Approval recipient (exclusive of financial hardship), it would be unreasonable to require the permit recipient to comply with all of the requirements of this Order prior to commencing the intended use of the property or any buildings, the Planning and Zoning Commission may authorize the commencement of the intended use or the occupancy of buildings if the permit recipient provides a performance bond or other security satisfactory to the County Commission to ensure that all of the requirements of this Order will be fulfilled within a reasonable period of time.

- B.** When the Planning and Zoning Commission imposes additional requirements upon the permit recipient in accordance with this Section or when the developer proposes, in the plans submitted, to install amenities beyond those required by this Order, the Planning and Zoning Commission may authorized the permittee to commence the intended use of the property, or any building, before the additional requirements are fulfilled or the amenities installed if it specifies a date by which, or a schedule, according to which such requirements must be met or each amenity installed and if it concludes that compliance will be ensured as the result of any one or more of the following:

 - 1. A performance bond or other security satisfactory to the County Commission is furnished; and

 - 2. A condition is imposed establishing an automatic expiration date on the Permit, thereby ensuring that the permit recipient's compliance will be reviewed when the application for renewal is made.

**Section 8.15: PLAT APPROVAL: MAINTENANCE OF COMMON AREAS,
IMPROVEMENTS AND FACILITIES**

The recipient of any permit or approval issued pursuant to this Order, or their successor, shall be responsible for maintaining all common areas, improvements, or facilities required by the Order or any permit issued in accordance with its provisions, except in those areas, improvements, or facilities with respect to which a covenant of restrictions has been conveyed which requires that a "homeowner's association" or similar body becomes responsible for the common areas, improvements, or required facilities. As illustrations, and without limiting the generality of the foregoing, this means private roads and parking areas, water and sewer lines, and recreational facilities must be properly maintained so they can be used in the manner intended, and required vegetation and trees used for screening, landscaping, or shading must be replaced if they die or are destroyed.

APPLICATION CHECKLIST

- ___ 1. **APPLICANT MUST APPEAR AT PLANNING & ZONING MEETING ON _____.**
IF APPLICANT DOES NOT APPEAR, CONDITIONAL USE WILL NOT BE HEARD AND ACTED UPON UNTIL NOTIFICATION FEES ARE PAID, AGAIN. IT IS APPLICANT'S RESPONSIBILITY TO MAKE SURE THEY HAVE THE DATE.

- ___ 2. Current property zoning identified. _____

- ___ 3. Locate/identify all property owners within 1000 feet of all property lines and attach mailing list. Attached _____

- ___ 4. Complete Conditional Use Permit application completely.

- ___ 5. Address six criteria, in writing, as listed in Section 9.6 (d). Attached _____

- ___ 6. Completed Conditional Use Permit application must be submitted to Planning and Zoning office no later than 3:00pm the third Wednesday of the month. The application will then be placed on the agenda for the Planning & Zoning Commission for the following month.

- ___ 7. In addition to a Conditional Use Permit, Zoning Permits are required for all structures/improvements.

- ___ 8. Sketch of your sign with the dimensions, will it be lighted, what sign be made of. Attached _____

- ___ 9. If there is to be outside lighting, sketch of type of lighting and where it is to be located. Attached _____

- ___ 10. If the road where the property is located is a shared private road, copy of the road agreement showing neighbors are aware of increased traffic which may be caused if the CUP is granted and how road to be maintained. Attached _____

- ___ 11. Hours and days of operation of the business you are requesting. Included _____
State here if not included on other pages:

- ___ 12. A photo ID of the property owner or their designated representative (with a notarized affidavit). Attached _____

I understand that if a Conditional Use Permit is approved, it does not supersede any deed restrictions, subdivision restrictions, Home Owner Association covenants, or other agreements between parties that may restrict the type of operation granted through the Conditional Use Permit. I am aware that all fees related to the Conditional Use Permit are non-refundable.

Applicant Signature

Date

Witness

Warren County Planning and Zoning Application

PARCEL ID _____ PERMIT # _____

Complete this section in full:

APPLICANT NAME(S) _____

Check One: OWNER(S) _____ OTHER (Owner(s) Notarized Affidavit Attached*) _____

Applicant's Mailing Address

STREET: _____

CITY: _____ STATE: _____ ZIP CODE: _____

Applicant's Phone # _____

Site Address ~ Actual Location to be Permitted

Site must have a valid address assignment from the 911 Business Office at 636-456-7088.

STREET: _____

CITY: _____ STATE: _____ ZIP CODE: _____

If property was purchased within the last 12 months, list previous owner: _____

DIRECTIONS TO PROPERTY: _____

List all buildings presently on the property: _____

Complete **ONLY** the following section(s) that apply to the permit(s) you are requesting at this time ----

Rezone	Check here if requesting a change in Zoning _____
	Current zoning of parcel is _____
	Requesting a Rezone of the parcel to _____

****IF THIS APPLICATION IS FOR A REZONE OR CONDITIONAL USE PERMIT, ADDITIONAL DOCUMENTS ARE REQUIRED. OBTAIN AND COMPLETE APPLICABLE DOCUMENTS & ATTACH****

Conditional Use Permit	Check here if applying for a Conditional Use Permit _____ Zoning District _____
	Specify the Conditional Use(s) sought (from the Conditional Uses list in the appropriate zoning district of the current Warren County Zoning Codes): _____ _____ _____

Permit for a Dwelling	Select 1: Residence Constructed On-Site _____ Mobile Home _____ Modular Home _____ RV _____
	Select 1: Single Family _____ Multi Family _____
	Select 1: Single Story _____ Two Story _____ Multi Story _____
	Select 1: Basement _____ Slab Foundation _____ Piers/Posts _____ Concrete with Crawl Space _____
	Select 1: Central Sewer _____ Individual Septic _____ (Septic must be permitted prior to Structure Permit)
	Answer Each: Total # of Bedrooms _____ Total # of Bathrooms _____ Total Square Footage _____
	Plans provided to P&Z/Sanitarian for review _____ Date Reviewed _____ Staff Initials _____
	If Mobile Home/Modular Home/RV attach a copy of the title or bill of sale and complete the following:
	Model _____ Make _____ Year _____
	VIN/Serial # _____
If removing a Mobile or Modular and replacing, check here _____ Floor Plan Attached _____	
Address where Mobile/Modular is being moved from: _____	
If exchanging Mobile Home or Modular Home the old dwelling <u>must be removed within 60 days.</u>	

Permit for Other Structures

Home Additions, In Ground Pools, Privacy Fences
Commercial Buildings & Signs

Improvements: Non-Residential Structures such as Storage
Sheds, Carports, Decks, Patios, Pole Barns, Livestock Shelters,
Barns, Grain Bins, Machine Sheds, Garages, etc.

All structures require a permit, regardless of size or use.

Select the structure you plan to build from the list below:

Commercial/Business-Related Building or Structure _____ Sign _____
In Ground Pool _____ Privacy Fence _____ Deck _____ Patio _____
Carport _____ Detached Garage _____ Attached Garage _____ Shed _____
Pole Barn _____ Machine Shed _____ Livestock Shelter _____ Grain Bin _____
Home Addition _____ Other (Specify Type) _____

Home additions require septic review before the Structure Permit can be issued.

If a home addition, how many bedrooms will be added? _____

If a home addition, will the addition have plumbing? _____

If for business use, describe the use of the structure in detail –

Additional permits may be required for construction of any structure intended for other than personal use. Contact the P&Z office for information regarding Conditional Use Permits or other zoning questions prior to submitting a building permit application.

Answer each of the following:

Will the new structure have internal plumbing? YES _____ NO _____

Dimensions of the structure to be built or added? _____

Total Square Feet of the New Structure or of the Addition _____

Will your structure be electrified? YES _____ NO _____ Not at this time _____

If electrified, will the structure have its own meter base? YES _____ NO _____

It is the property owner's responsibility to take the necessary measures to determine whether additional permits are required, and be aware of all legal restrictions that may apply to the property, structures, shared roads, or use of the property.

It is also the property owner's responsibility to take necessary steps to identify property lines, easements, right of ways, and public or private roads and comply with the appropriate setback requirements.

Signature valid only if notarized or witnessed by Planning & Zoning/Sanitation Office Staff.

PHOTO ID REQUIRED

SIGNATURE: _____ DATE: _____

(By signing this application you acknowledge you have been informed and agree to the stipulations and/or conditions required under the Warren County Zone Order to obtain the necessary permit(s).)

PERMIT FEES ARE NON-REFUNDABLE Staff Witness _____

Reviewed by _____	P&Z OFFICE USE ONLY	
CONDITIONAL USE _____	REZONE From _____	To _____
PARCEL ID _____	ACREAGE _____	+/-
SECTION _____	TOWNSHIP _____	RANGE _____
SUBDIVISION _____	PLAT _____	LOT _____
ZONED _____	FLOODPLAIN _____	PERMIT # _____
FIRE DISTRICT _____	PLANS REVIEWED _____	
Temporary Electric Sticker # _____ ()	Permanent Electric Sticker # _____ ()	

WARREN COUNTY PLANNING AND ZONING

Schedule of Fees effective March 1, 2021 Exact Cash or Check only

*****Fee will be doubled if the correct permit(s) is not obtained before the project is started*****

Construction Permits

Single Family Residence & Manufactured Dwelling:	\$125.00
Mobile Home, Recreational Vehicle, Camper:	\$100.00
Two Family Residence (2 units)	\$200.00
Improvement:	
120 sq. feet & under	No Charge
121-250 sq. feet	\$60.00
251-1000 sq. feet	\$70.00
1001-2000 sq. feet	\$95.00
2001 & over	\$120.00
Home Additions & In Ground Pools	\$70.00
Privacy Fences	\$60.00
Commercial:	\$100.00 plus 5¢/ sq. ft.
Multi-Family Residence (more than 2 units) is charged at Commercial Rate	
Shared Use (Tower)	\$300.00
Changes to Existing Towers	\$200.00
MoDOT Permitted Billboards/Signs	\$100 plus 5¢/ sq. ft. of face

Application for Rezoning or Amendment

Fee	\$ 800.00
Certified Mailings	(# x \$8.00)
<i>(Note One: In the event the actual expenses associated with the Public Hearing Process required for rezoning or code amendments, the applicant shall be responsible for any additional cost).</i>	

Variance

Fee	\$250.00
Certified Mailings	(# x \$8.00)
(See Note One above).	

Conditional Use Permit

Fee	\$800.00
Certified Mailings	(# x \$8.00)
(See Note One Above)	

Subdivisions

Preliminary Plats:	\$30.00/lot w/a min fee of \$500.00
Final Plats:	\$100.00

Copies

Paper copies of Master Plan or Codes	\$50.00
CD copy of Master Plan or Codes	\$10.00

Certification of Zoning

Written Certification of Zoning	\$25.00
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Section 9.6 (D) Application Criteria for CUP's

The Planning and Zoning Commission may impose such conditions on the issuance of a Conditional use Permit as will, in the Planning and Zoning Commission's sole discretion insure that:

- 1. The establishment, maintenance, or operation of the Conditional Use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare;**
- 2. The Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposed already permitted, not substantially diminish and impair property values within the area;**
- 3. The establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;**
- 4. Adequate utilities, buffering, access roads, drainage, open spaces, and/or other necessary public services and facilities can and will be economically provided;**
- 5. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public roads;**
- 6. The Conditional Use shall, in all other respects, conform to the Order and all of the regulations contained therein, including, but not limited to, any specific conditions relating to the proposed Conditional Use and the applicable regulations of the district in which it is located.**