

Sec. 400.1592 Permitted Accessory Structures in Residentially-Zoned Districts

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B. Residential. Accessory structures in a residentially zoned district are limited to the following:

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12. *Basketball goals and poles.*

- a. *Number: One (1) per lot.*
- b. *Height: Not to exceed fourteen (14) feet, inclusive of backboard.*
- c. *Location: Behind the front, side, and rear yard setbacks.*

13. *Flagpoles.*

- a. *Number: One (1) per lot.*
- b. *Height: Not to exceed fourteen (14) feet.*
- c. *Location: Behind the front, side, and rear yard setbacks.*

C. *Variations.*

- 1. *Additional accessory structures not enumerated or ~~accessory structures in excess of the noted height or area permitted under this Section~~ are in Section 400.1592.B shall be subject to Site Plan Review in accordance with Article XI and Community Design Review in accordance with Chapter 425.*
- 2. *Notwithstanding anything herein to the contrary, the Zoning Administrator shall have the authority to vary the specifications prescribed for any use enumerated in Section 400.1592.B, whether by reducing or adding to said specifications, to balance and protect neighboring and community interests. Any person aggrieved by the exercise of such discretion may appeal to the Planning and Community Design Commission for Site Plan Review in accordance with Article XI and Community Design Review in accordance with Chapter 425.*

ARTICLE XI SITE PLAN REVIEW

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Section 400.1090 Review Procedure.

- A. Site plan review procedures for proposed uses in the "SR" District which do not require rezoning, but are subject to site plan review and design review as required by Article I, Chapter 425 of the Olivette Municipal Code. An application for site plan review, together with the information and plans specified in Section 400.1080, shall be submitted to the Planning and Zoning Administrator at least thirty (30) days prior to a regularly scheduled meeting of the Commission.
 - 1. Site plan data shall be provided in accordance with the requirements of Section 400.1080, provided that same shall include only those items necessary to address the proposed action as specified by the Planning and Zoning Administrator. The application shall be accompanied by a number of copies as may be required by the Administrator.
 - 2. ~~The Planning and Zoning Administrator shall review the application to determine its compliance with applicable law and shall approve, approve with conditions or deny the application. Conditions placed on an approved application shall be resolved to the satisfaction of the Planning and Zoning Administrator prior to issuance of a building permit. The Administrator shall state in writing any reason for denial.~~
 - 3. ~~Any person aggrieved by the approval or denial of an application by the Planning and Zoning Administrator may request review from the Board of Adjustment, either by alleging error by the Administrator or by seeking a variance, as provided in Article XVII hereof.~~
 - 2. *The Commission shall review the application to determine the environmental impact of such proposed building or use upon the character of the neighborhood, traffic conditions, public utility facilities and other matters pertaining to the general health, safety and welfare of the City of Olivette, including each of the factors set forth in Section 400.1050 hereof.*
 - 3. *The Commission, within sixty (60) days after submission to it, shall vote to approve or disapprove the application. Conditions may be placed on the approval as deemed appropriate by the Commission.*
 - 4. *Within the two (2) week period following the Commission action, the applicant may, by written notice to the Commission and the City Council, appeal the decision to the City Council. After review and consideration of the factors set forth in Section 400.1050 hereof, the City Council may override the decision of the Commission by a three-fourths (¾) vote of its full membership.*
 - 5. *Within the two (2) week period following the Commission action, the City Council may, by written notice requested by any Council member, have the application referred to that body. After review and consideration of the factors set forth in Section 400.1050 hereof, the City Council may override the Commission decision by a three-fourths (¾) vote of its full membership.*
 - 6. *Conditions placed on an approved application shall be resolved to the satisfaction of the City Manager after appropriate consultation with the City Planning Consultant, City Attorney and Commission prior to issuance of a building permit.*

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