

**FILE**  
01-13-98

# **Windsor Township**

**Henry County  
Missouri**

## **Master Comprehensive Planning and Zoning Order**

**Approved  
January 8, 1998**

# **WINDSOR TOWNSHIP PLANNING AND ZONING ORDER**

## **SECTION 1: TITLE & GOALS**

This Township Board Order shall be known as the Windsor Township Planning and Zoning Order.

The Goals for Windsor Township Zoning shall be to ensure a high quality of life in Windsor Township. They are:

1. To improve, preserve and wisely use the natural resources of Windsor Township.
2. To conserve and protect property and property values.
3. To insure efficient expenditures of public funds.
4. To promote the health, safety, prosperity, and general welfare of the residents and land owners of Windsor Township.
5. To preserve and promote agriculture as a way of life and livelihood.
6. To encourage location in Windsor Township of any business that would promote jobs without damaging the land and environment.

## **SECTION 2: AUTHORITY**

The Planning and Zoning Order of Windsor Township, Henry County, Missouri is authorized and pursuant to Sections 65.650-65.700, Revised Statutes of Missouri 1994.

No person shall use land except as permitted by these regulations.

## **SECTION 3: DISTRICTS**

Windsor Township is divided into Agricultural (A-1), Residential (R-1), and Commercial (C-1) districts as defined by the County Assessor as of January 1, 1998. Request for changing classification of districts after January 1, 1998 will require approval of the Planning and Zoning Board as required by Missouri Statute 65.685. Additional districts may be added upon the recommendation of the Township Planning and Zoning Commission.

The land use districts shall be designated on the Official Zoning Map of Windsor Township and located in the Office of the Township Clerk.



## **SECTION 4: RESIDENTIAL DISTRICTS**

Residential Districts are defined as the area and dwelling that the county assessor appraises as residential property. Single or multiple-family dwellings and buildings associated with such residence are permitted in any of the districts within the Township. All residence, including mobile homes, must comply with Henry County Waste Water Treatment System Ordinance 89-1. The Township Clerk Shall be notified when new construction is initiated, in order to keep the Official Zoning Map Current.

Residential property shall be defined as any structure that is to be used for living purposes that is not motorized.

All residential developments including mobile home parks must submit proposed plans and obtain a building permit. Each site must have an adequate sewage disposal system to meet county requirements of Henry County Ordinance 89-1, and must be at least 40 feet apart.

## **SECTION 5: AGRICULTURAL (A-1)**

All unincorporated area within the Township not within Districts noted R-1 or C-1 on the Official Zoning Map are agricultural (A-1).

A maximum concentration of animals allowed by this regulation is:

- 500 confined cattle or sheep of all ages and weights per 160 acres and/or 2000 per section (640 acres),
- 1500 confined hogs of all ages and weights per 160 acres and/or 6000 per section (640 acres),
- 20,000 confined poultry of all ages and weights per 160 acres and/or 80,000 per section, is permitted in Windsor Township in Districts.

## **SECTION 6: COMMERCIAL DISTRICTS (C-1)**

All commercial businesses, residential developers, and other interested parties shall comply with the following procedures to obtain a building permit for construction within Windsor Township.

1. Personally contact the Township Code Enforcement Officer.
2. Provide a legal description of the property in question.
3. Describe proposed use in writing.
4. Provide a list of all owners and operators with current address of affected property.
5. Provide name and current address of developer, if other than owner(s).
6. Pay to Township Code Enforcement Officer upon approval a permit fee of \$1.00 per thousand of proposed construction cost.
7. Any changes from the proposed use set out by the original plan will require hearings and requirement set forth in Statute 65.685.

The following uses shall be permitted within Windsor Township only upon issuance of a Special Use Permit by the Code Enforcement Officer:



1. Waste incinerator
2. Commercial landfills
3. Hazardous waste storage sites
4. Distilling of bones, fat or glue, glue or gelatin manufacturing
5. Dumping, storing, buying, reducing, disposing of or burning garbage, refuse, scrap metal, rubbish offal or dead animals
6. Slaughterhouses
7. Commercial junkyard, automobile graveyards, mobile home graveyards
8. Adult entertainment businesses featuring nudity or materials possibly pornographic
9. Waste Transfer Stations

Each Special Use Permit request must be accompanied by all requirement for all commercial business building permits. In addition a site plan, and evidence that roads will not be overburdened, that property values will not be decreased and that the health or quality of life of the residents within Windsor Township will not be diminished.

When a Special Use Permit is granted, a required set back of 4000 feet from the nearest residential district shall be required.

Upon refusal of permit, applicant may appeal to the Board of Adjustments alleging error, and requesting variance or exception. Upon denial by Board of Adjustments applicant may petition the Circuit court of the county in which the property is located.

#### **SECTION 7: TOWNSHIP ROAD RIGHT-OF WAYS**

Owners of any inanimate object that would hinder mowing of roads or ditch maintenance including the back slope of the side ditch, shall be notified by certified mail, return receipt requested, to remove such object. Such owner shall be allowed thirty days from acknowledgment date of return receipt for the accomplishment of such removal. Township Enforcement Officer, upon failure to remove, shall arrange for removal and bill such costs as may be incurred to said owner.

#### **SECTION 8: DUTIES OF CODE ENFORCEMENT OFFICER**

The code enforcement officer shall be appointed by the Windsor Township board.

Maintain the Official Township Zoning Map and:

1. Determine if the use proposed by applicant for a permit is permitted in the District in which it is proposed;
2. Issue permit of application that is in agreement with this regulation;
3. Refer applicants to proper individuals for proposal not authorized;
4. Maintain all records that apply to Windsor Township Planning and Zoning securely.

## **SECTION 9: VIOLATIONS, EXCEPTIONS AND PENALTIES**

It shall be a violation to use or to permit the use of any land in a manner not permitted by this order.

It shall be a violation to fail to obtain a permit prior to commencing a commercial structure.

It shall be a violation to fail to comply with or promptly appeal (within 10 days) any order of the Zoning Enforcement Officer.

Any person, firm, or organization violating the building and/or land use provisions of this order will be notified by the Code Enforcement Officer in writing and given ten (10) days to conform and comply.

Upon failure to comply to the provision of this order or respond to the notice from the Code Enforcement Officer, the matter will be turned over to the County Prosecuting Attorney or Township Attorney.

Violations are subject to fines in accordance with the Revised Statutes of Missouri.

## **SECTION 10: SEVERABILITY**

In the event that any section or provision of these regulations shall be declared unconstitutional or otherwise invalid by any court of competent jurisdiction, the section or provision declared invalid shall be deemed to be severed from all other provisions hereof and the surviving provisions shall remain in full force and effect.

## **SECTION 11: POWERS AND DUTIES OF THE BOARD OF ADJUSTMENT**

The Board of Adjustment shall:

Hear and decide appeals where it is alleged that there is an error to any order, requirement, decision or determination of the Code Enforcement Officer in the enforcement of this order.


Authorize, on appeal, in specific cases, such variance from the terms of this zoning resolution as will not be contrary to the public interest, where owing to special conditions a literal enforcement of the provisions of the resolution or any amendments thereto will result in unnecessary hardship, and so that the spirit of the order shall be observed and substantial justice done.


## **SECTION 12: POWERS AND DUTIES OF THE TOWNSHIP PLANNING AND ZONING COMMISSION**

The Township Planning and Zoning Commission shall be governed by Missouri Statutes 65.650 to and including 65.700.



Adopted by the Windsor Township Planning and Zoning Commission: January 8, 1998.

  
Leon Eidson, Chairman


  
Rick Coale, Member

  
Don Bullock, North Side Commissioner, Member

  
Robert Coe, Member

Subscribed and sworn to before me by Windsor Township Planning and Zoning Commission on the 8<sup>th</sup> day of January, 1998 with each of the above-named stating that they signed the foregoing as his or her free and voluntary act.

My commission expires: May 12, 1999

  
Notary Public

RHONDA R SCOTT  
NOTARY PUBLIC STATE OF MISSOURI  
PETTIS COUNTY  
MY COMMISSION EXP MAY 12, 1999

August 7, 1997

I, Nanny Coe, residing at 423 Olive St., Windsor Missouri, in my official capacity as clerk of THE BOARD OF DIRECTORS OF WINDSOR TOWNSHIP OF HENRY COUNTY, MISSOURI, received from Cheryl Brown an Initiative Petition consisting of 36 pages containing 567 signatures of Registered Windsor township voters that respectively order the question, "Shall township planning and zoning be adopted?", be placed on the official ballot, for acceptance or rejection, at the next election to be held on the 4th. of November, 1997.

  
Nanny Coe

  
Cheryl Brown, Petition Circulator