



Consent Item

RE: SUE Transfer - 15233 Manchester Rd

Department/Program: Planning

Recommendation: Recommend to a unique application of transferring Special Use Exception

Explanation:

Mr. Little is requesting that the City of Ballwin approve a request for a transfer of special use allowance to operate an automotive business to be permitted.

In most cases of special use exception transfers, there is an ordinance of reference for the purpose of transferring to the new owner of a business which requires it. In this particularly unique situation, this is a business which has stood and operated for longer than our modern Zoning Ordinance has been in effect. One of the landowners, Mr. Steve Vogel, has provided to Staff the original deed for the property, which was signed and dated on November 15, 1965. Additionally there is documentation which includes a lease dated November 1965 to begin occupancy on January 1, 1966. The requirement for a transfer of special use exception did not go into effect until March 22, 1993 through Ordinance 2303 which was an amendment to the initial Zoning Ordinance, which initially went into effect on July 11, 1966 through Ordinance 557.

It is the opinion of the Planning Department that Mr. Little be given the opportunity to obtain the SUE Transfer on the concept of obtaining a continuation of the grandfathered allowance provided to the previous business owner. To this effect, there is no previous Ordinance to reference for transference and this process is rendered largely procedural for the ability to provide the new business owner his required business license. If approved, the resulting Ordinance would be filed together with the original deed and lease for the benefit of whomever might need to provide the same information in an identical situation where a new business owner takes over once more at 15233 Manchester Rd.

Mr. Little is still required to meet modern building code under our Building Department for the purpose of Occupancy.

Submitted By: Shawn Edghill, Planning Technician

Date: March 16, 2021