

# ZONING REGULATIONS

## *405 Attachment 2*

### **City of Lake Ozark**

#### **Appendix B View Preservation Guidelines and Toolkit**

##### **OVERVIEW:**

It is the purpose and intent of these view preservation guidelines to implement the specific requirements of view regulations. The specific wording of said ordinance shall be utilized in conjunction with these guidelines. The purpose and intent of these guidelines are as follows:

1. To establish interim regulations pending the final adoption of the permanent City zoning ordinance to preserve the existing scale and character of established residential neighborhoods and to protect public and private views, aesthetics and other property.
2. To enable the City of Lake Ozark to implement, without prejudice to such efforts, those sections of the general plan land use element which call for the adoption of ordinances to encourage the preservation of private views, where feasible.
3. To promote the health, safety and general welfare of the public by preventing the needless destruction and impairment of these limited, unique and irreplaceable views for this and future generations.
4. To protect, enhance and perpetuate views available to property owners and visitors by establishing procedures and requirements for the protection of private views from unreasonable impairment by new construction or plant growth.
5. To provide a public notification process to encourage the resolution of view impairment issues by those property owners directly affected without further involvement of the City.

Oftentimes, no single item, with regard to a home, is more precious to the resident than his/her view. The view may be panoramic or a slot between two (2) other dwellings. It may be a near view or a far view from above or below. No attempt has been made to define a "view," but the View Arbitration Committee will nevertheless form an opinion as to the extent and quality of the "visual scene" that the resident seeks to preserve.

Applicants for structural permits and neighborhood residents/owners must often compromise to obtain satisfactory solutions to view blockage problems. Story poles, erected at the correct height and staff-determined locations, can accurately show how much view would be blocked. These and other techniques could be routinely required where view blockage is a potential problem.

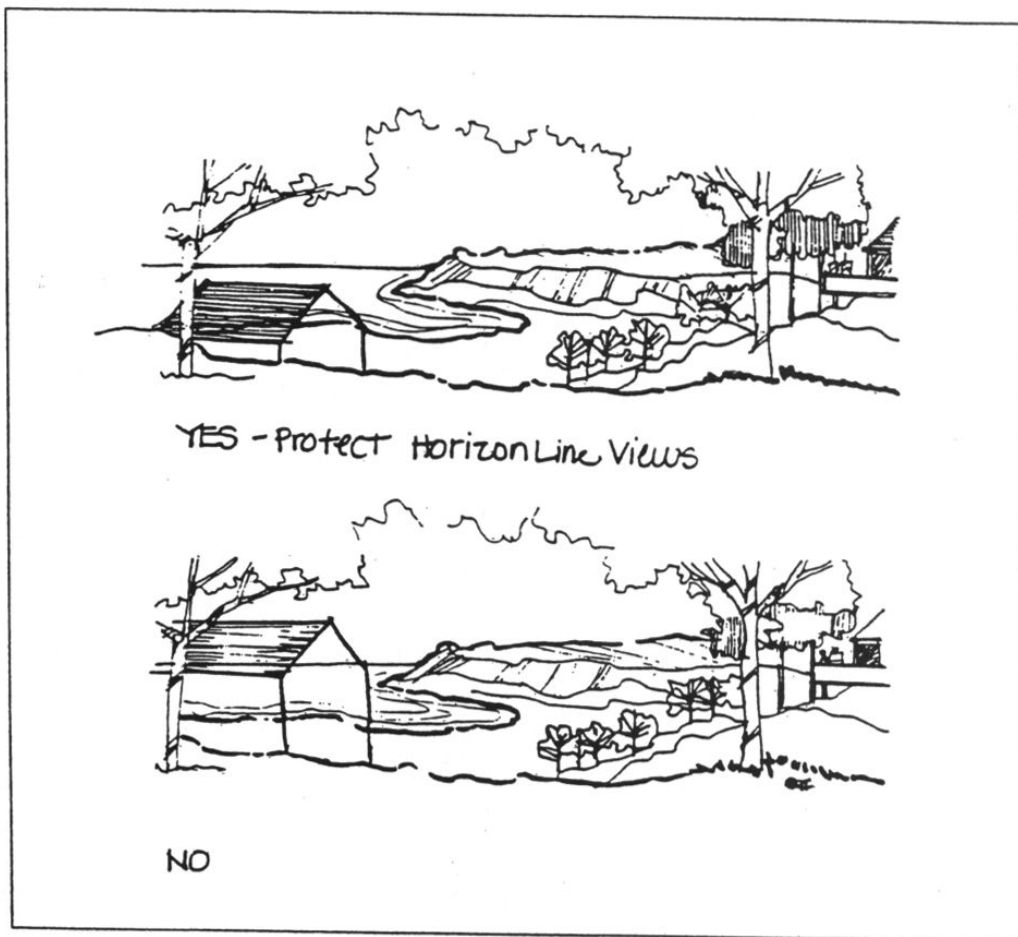
## LAKE OZARK CITY CODE

The following are several guidelines and "tools" that may be used by the View Arbitration Committee to help preserve private and/or public views. Some of these guidelines contain standards which may later be considered for permanent placement into the Lake Ozark zoning ordinance to reduce the potential for view impairment.

1. *Lot siting and building design.* On sloping lots, structural bulk can be mitigated by locating portions of the building below grade. Where such opportunity exists, the View Arbitration Committee should not allow significant view impairment unless a reasonable amount of the structure would be located below the natural grade (cut into the hillside). Hillside cuts, however, should be limited to the area required for the structure and should not be extended to create flat surfaces for yards or recreational areas. Additions to existing structures may not provide the same opportunities.

MOVING THE STRUCTURE DOWNHILL WILL OPEN VIEWS TO HOUSES UPHILL. This must be balanced against the need for reasonable pedestrian and vehicular access to the proposed structure.

**Figure 1**



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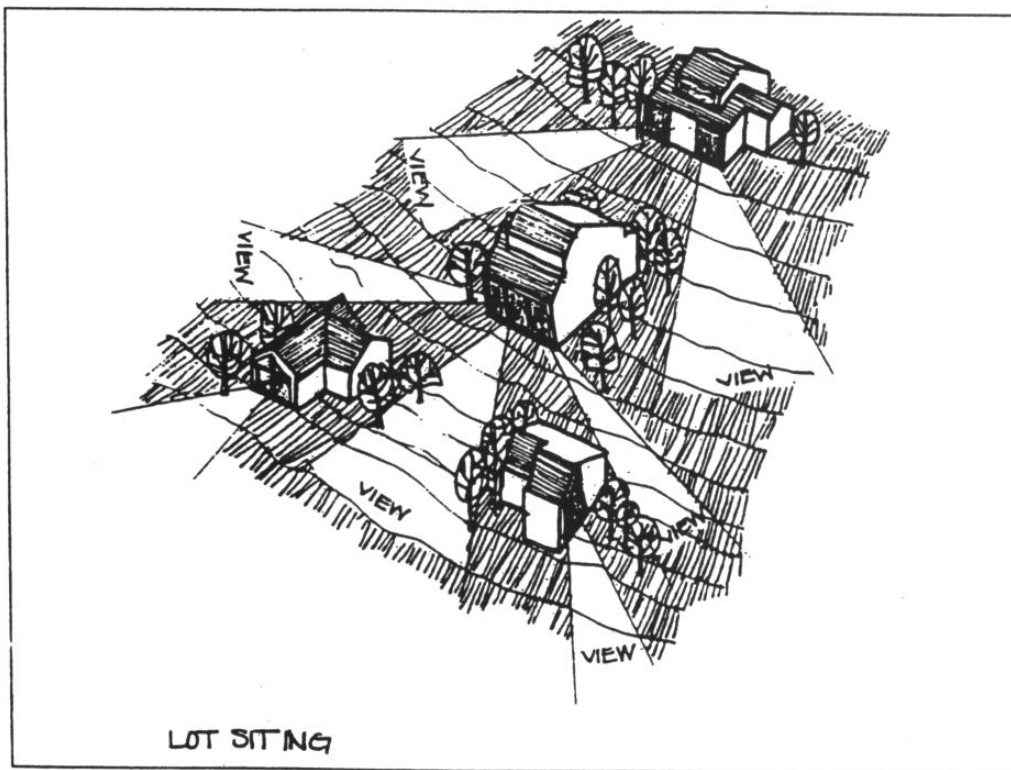
FLOOR HEIGHTS, BOTH FIRST AND SECOND STORY, SHOULD BE KEPT AS LOW AS POSSIBLE. Raising the height of the second (2nd) floor line to clear an existing pitched roof is generally discouraged.

ORIENTING THE LONG AXIS OF THE BUILDING PARALLEL TO THE LINE OF VIEW REDUCES OVERALL VIEW BLOCKAGE.

OPPORTUNITIES TO CREATE PERMANENT LINEAR VIEW CORRIDORS SHOULD NOT BE OVERLOOKED. A reduced side yard setback (to a minimum of three (3) feet) may allow for a significant view corridor through the opposite side yard. Reduced setbacks should only be considered where a minimum separation of ten (10) feet can be maintained between structures and both property owners agree to the reduction. A variance will be required.

On level lots, a view corridor may be the only way to preserve a view from a neighboring single-story house. Once a view corridor is established, it must be kept clear!

**Figure 2**



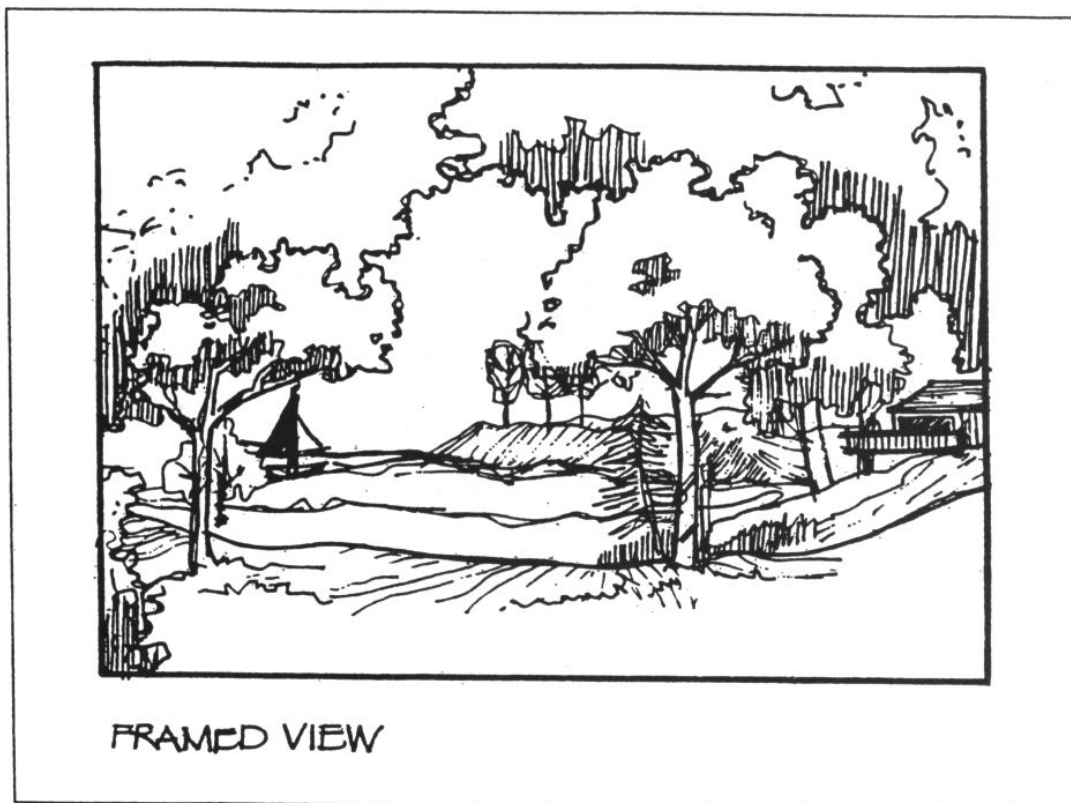
2. *View quality considerations.* Views should be preserved as much as possible within reason. This requires the View Arbitration Committee to look at the totality of the view considering not only its size and quality, but how it is utilized from within the structure and its importance to the building's interior walls.

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Although a single viewing area representing the "best and most important view" must be established, the entire viewing angle is under consideration. However, not everyone can have a panoramic view. The neighborhood and the builder of a new dwelling must work together to obtain the best solution between slot views, view corridors and panoramic views.

View quality is usually more important than view quantity. The view consists of foreground, middle distance and background or distant elements. Trees which block views are often attractive foreground elements which can be pruned into beautiful open screens through which to see the view. Attractive landscaping and buildings in the foreground often "frame" the views of distant objects. Nearby elements are part of the view and should be considered by both builders and neighbors in making their comments and decisions.

**Figure 3 Framed View**



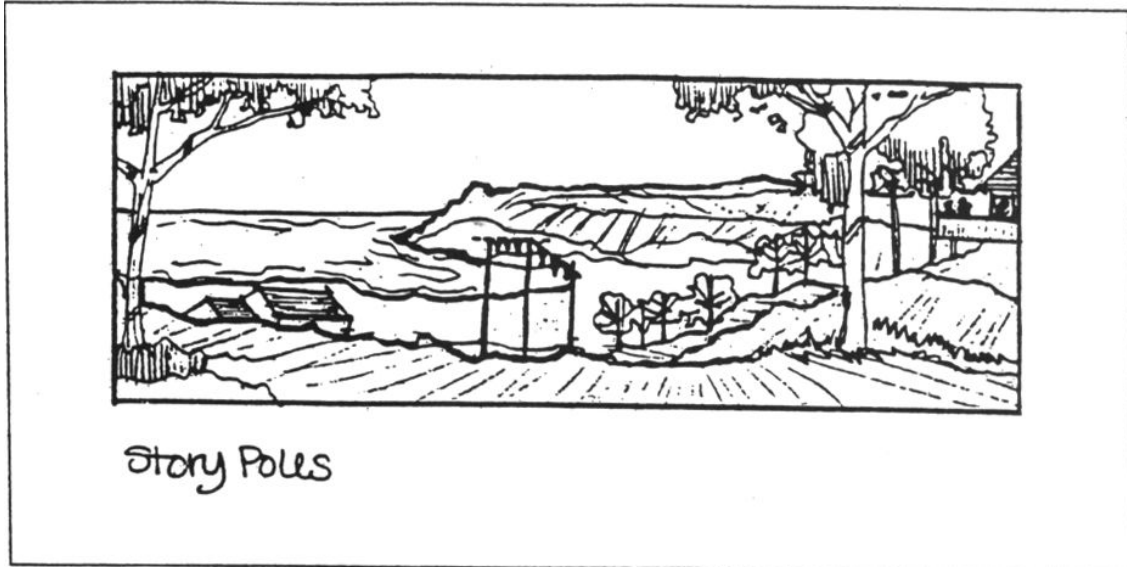
The horizon line is the most sensitive part of the view, then the foreground, then the middle ground. If possible, avoid cutting the horizon line of a neighbor's view.

3. *View assessment.* In assessing a view, the entire panorama should be considered. To present the problem effectively, the view should be photographed completely from view stop on right to view stop on left. The story poles should be put into place and verified by staff before the photographs are taken.

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Photographs should be taken from one (1) location and taped together for proper presentation. A fifty (50) mm lens is recommended to minimize distortion. The viewing is where the photograph is taken and any special circumstances should be recorded on the plans.

**Figure 4 Story Poles**



Using this technique, the story poles provide an accurate representation of the proposed project. The story poles should be strung together and draped with flags to aid in visualizing the structural bulk of the proposed structure.