

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "NU" NON-URBAN DISTRICT TO AN "R-3" RESIDENCE DISTRICT FOR A 3.7 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF CLAYTON ROAD, WEST OF THE INTERSECTION OF SCHOETTLER ROAD AND CLAYTON ROAD (P.Z. 13-2003 FISCHER & FRICHTEL)

WHEREAS, the petitioner, Fischer and Frichtel, requested a change of zoning from an "NU" Non-Urban District to an "R-3" Residence District for a 3.7 acre tract of land located on north side of Clayton Road, west of the intersection of Schoettler Road and Clayton Road, and;

WHEREAS, the Planning Commission held a public hearing on August 25, 2003 to consider the matter, and;

WHEREAS, P.Z. 13-2003 Fischer and Frichtel was considered by the Planning Commission of the City of Chesterfield and recommended for approval by a vote of 9-0.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Section 1. The City of Chesterfield Zoning Ordinance and the Official Zoning District Maps, which are a part thereof, are hereby amended by transferring from the "NU" Non-Urban District to a "'R-3" Residence District for a 3.7 acre tract of land located on north side of Clayton Road, west of the intersection of Schoettler Road and Clayton Road as described in "Exhibit A."

Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council, which are set out in Attachment A, which is attached hereto and made a part hereof.

Section 3. The City Council, pursuant to the petition filed by Fischer and Frichtel in P.Z. 13-2003 requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearing, held by the Planning Commission on the 25th day of August 2003, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

Section 4. This ordinance and the requirements thereof are exempt from the warnings and summons for violations as set out in Section 1003.410 of the zoning Ordinance of the City of Chesterfield.

Section 5. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 3rd day of May, 2004.


MAYOR

ATTEST:


CITY CLERK

Legal Description

A TRACT OF LAND IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 24, TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF CLAYTON (VARIABLE WIDTH) ROAD AND THE WEST LINE OF N/F EDWIN HENRY MERTZ, ET AL, AS RECORDED IN DEED BOOK 6741 PAGE 1167 OF THE ST. LOUIS COUNTY, MISSOURI RECORDER'S OFFICE. THENCE LEAVING SAID INTERSECTION ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING COURSES AND DISTANCES: SOUTH 62 DEGREES 01 MINUTES 10 SECONDS WEST; A DISTANCE OF 544.63 FEET; NORTH 27 DEGREES 58 MINUTES 50 SECONDS WEST, A DISTANCE OF 10.00 FEET; SOUTH 62 DEGREES 01 MINUTES 10 SECONDS WEST, A DISTANCE OF 106.77 FEET; ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1019.30 FEET, AN ARC LENGTH OF 21.99 FEET AND A CHORD BEARING SOUTH 62 DEGREES 38 MINUTES 16 SECONDS WEST; SOUTH 26 DEGREES 44 MINUTES 39 SECONDS EAST, A DISTANCE OF 10.00 FEET; ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1029.30 FEET, AN ARC LENGTH OF 200.43 FEET, AND A CHORD BEARING SOUTH 68 DEGREES 50 MINUTES 04 SECONDS WEST TO THE EAST LINE OF AN ABANDONED 15 FOOT WIDE ROADWAY, N/F HOLLAND DEL AND MARY GRACE ANDERSON AS RECORDED IN DEED BOOK 6829 PAGE 1001 OF THE ABOVE MENTIONED RECORDER'S OFFICE. THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE ALONG THE EAST LINE OF ANDERSEN, NORTH 00 DEGREES 03 MINUTES 09 SECONDS EAST, A DISTANCE OF 117.41 FEET TO THE SOUTH CORNER OF N/F/ FIRST BAPTIST CHURCH OF BALLWIN INC., AS RECORDED IN DEED BOOK 9408 PAGE 1794 OF THE ABOVE MENTIONED RECORDER'S OFFICE. THENCE LEAVING SAID SOUTH CORNER ALONG THE SOUTHEAST LINE OF SAID FIRST BAPTIST CHURCH OF BALLWIN INC., NORTH 57 DEGREES 31 MINUTES 00 SECONDS EAST, A DISTANCE OF 230.66 FEET TO THE EAST CORNER OF SAID FIRST BAPTIST CHURCH OF BALLWIN INC. THENCE LEAVING SAID EAST CORNER ALONG THE NORTHEAST LINE OF THE FIRST BAPTIST CHURCH OF BALLWIN INC., NORTH 32 DEGREES 26 MINUTES 00 SECONDS WEST, A DISTANCE OF 66.60 FEET TO THE SOUTH CORNER OF THE ABOVE MENTIONED MERTZ TRACT. THENCE LEAVING SAID SOUTH CORNER ALONG THE SOUTHEAST LINE OF MERTZ, NORTH 59 DEGREES 40 MINUTES 00 SECONDS EAST, A DISTANCE OF 578.11 FEET. THENCE SOUTH 31 DEGREES 36 MINUTES 00 SECONDS EAST, A DISTANCE OF 236.43 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT OF LAND IS BASED UPON AN ACTUAL BOUNDARY SURVEY EXECUTED BY COLE & ASSOCIATES INC. DURING THE MONTH OF JUNE 2003, CONTAINS 3.74 ACRES AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND CONDITIONS OF RECORD, IF ANY.

