

BILL NO. 2438

ORDINANCE NO. 2261

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A "NU" NON-URBAN TO "R-4" 7,500 SQUARE FOOT RESIDENTIAL DISTRICT FOR 2.00 ACRES OF LAND LOCATED SOUTH OF CENTURY LAKE AND WEST OF OLD BAXTER ROAD. (P.Z. 35-2005 OLDE BAXTER SQUARE).**

**WHEREAS**, the Petitioner, Flower Homes, requested a change in zoning from "NU" Non-Urban to an "R-4" 7,500 Square Foot Residential District; and,

**WHEREAS**, the Planning Commission held a public hearing regarding the said request on January 9, 2006; and,

**WHEREAS**, the Planning Commission upon review of said request, made amendments to setbacks, landscape requirements, and reviewing agencies recommended approval by a vote of 8-0 on March 13, 2006; and,

**WHEREAS**, the City Council upon review of said request recommended approval.

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

**Section 1.** The City of Chesterfield Zoning Ordinance and Official Zoning District Maps, which are part thereof, are hereby amended by approving preliminary plans for a change in zoning of a "NU" Non-Urban District to a "R-4" 7,500 square foot residential district for a 2.00 acre tract of land located south of Century Lake and West of Old Baxter Road in the City of Chesterfield as follows:

#### LAND DESCRIPTION

Two tracts of Land in US Survey 2002, Township 45 North, Range 4 east, St. Louis County, Missouri, said tracts of land being property conveyed to Erma J.E. Langewisch (trustee) as recorded by deed in book 7712 page 2461 of the St. Louis County, Missouri records and property conveyed to James P. and Joan R. Voelpel as recorded by deed in book 10836 page 1315 of the St. Louis County, Missouri records and is more particularly described as follows.

Beginning at a found iron pipe at the intersection of the north line of property conveyed to Earl O. and Virginia L. Eberwein, by deed recorded in book 6085 page 399 of the St. Louis County, Missouri records and the southeast corner of lot 2 of Drew Station Shopping Center, a subdivision recorded in plat book 287 page 71 of the St. Louis County, Missouri records;

Thence along the east line of said lot 2, north 20 degrees 33 minutes 00 seconds west, 306.83 feet to a found iron pipe at the northeast corner thereof, said pipe also being on the south line of property conveyed to the City of Chesterfield as recorded by deed in book 16496 page 104 of the St. Louis County, Missouri records;

Thence along the south line of said City of Chesterfield property and the south line of lot "A" of Swanter Acres, a subdivision recorded in plat book 143 page 50 of the St. Louis County, Missouri records, north 72 degrees 56 minutes 15 seconds east, 306.67 feet to a set iron pipe with cap on the west right-of-way line of Old Baxter (width varies) road;

Thence along the west right-of-way line of said Baxter Road the following courses and distances: south 05 degrees 08 minutes 00 seconds east, 33.81 feet to a set iron pipe with cap, south 16 degrees 39 minutes 00 seconds east, 170.56 feet to a set iron pipe with cap and south 34 degrees 34 minutes 00 seconds east, 85.10 feet to a set iron pipe with a cap at the northeast corner of said Eberwein property.

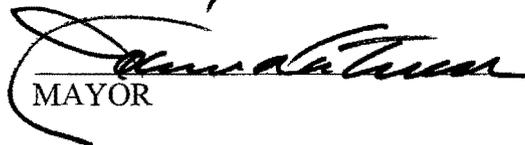
**Section 2.** The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council.

**Section 3.** The City Council, pursuant to the petition filed by Flower Homes in P.Z. 35-2006 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 9<sup>th</sup> day of January 2006, 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.

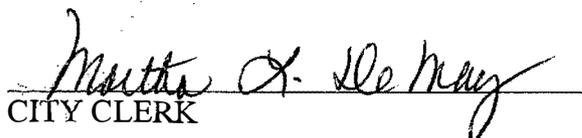
**Section 4.** This ordinance and the requirements thereof are exempt from the warnings and summons for violations as set out in Section 1003.410 of the zoning Ordinance of the City of Chesterfield.

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

Passed and approved this 1<sup>st</sup> day of May, 2006.

  
MAYOR

ATTEST:

  
CITY CLERK

First Reading Held: