

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "NU" NON-URBAN DISTRICT TO AN "LLR" LARGE LOT RESIDENTIAL DISTRICT FOR A 4.0 ACRE TRACT OF LAND LOCATED ON WINTER WHEAT ROAD, 3,000 FEET SOUTHEAST OF THE INTERSECTION OF WILDHORSE CREEK ROAD AND LONG ROAD. (P.Z. 5-2005 WINTER WHEAT PLACE/DOLLAR BUILDING COMPANY)

WHEREAS, the petitioner, Dollar Building Company, has requested a change in zoning from "NU" Non-Urban District to "E" One Acre District for a 4.0 acre tract of land located on Winter Wheat Road, 3,000 feet southeast of the intersection of Wild Horse Creek Road and Long Road; and,

WHEREAS, the Planning Commission held a public hearing on June 13, 2005 to consider the matter; and,

WHEREAS, P.Z. 5-2005 was considered by the Planning Commission and recommended for approval by a vote of 6-1; and,

WHEREAS, a protest petition was heard at the March 8, 2007 meeting of the Planning and Zoning Committee; and,

WHEREAS, the Planning and Zoning Committee, upon consideration of the request for "E" One Acre District zoning, recommended denial of P.Z. 5-2005 Winter Wheat Place by a vote of 4-0, with a recommendation that the Petitioner consider "LLR" Large Lot Residential District zoning; and,

WHEREAS, at its April 16, 2007 session, the City Council referred P.Z. 5-2005 Winter Wheat Place to Planning and Zoning Committee for further discussion and review; and,

WHEREAS, after discussion of the requirements of "E" Districts and "LLR" District zonings, a recommendation to forward P.Z. 5-2005 Winter Wheat Place to City Council with a recommendation of LLR zoning and to direct Staff to prepare the appropriate legislation tied with a vote of 2-2; and,

WHEREAS, the City Council, having considered the merits of the "E" Districts and the "LLR" Large Lot Residential District designation, voted to approve rezoning from "NU" Non-Urban to "LLR" Large Lot Residential District.

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

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 an "NU" Non-Urban District to a "LLR" Large Lot Residential for a 4.0 acre tract of land located on Winter Wheat Road, 3,000 feet southeast of the intersection of Wild Horse Creek Road and Long Road. A description of the subject site is as follows:

PROPERTY DESCRIPTIONS

A tract of land being part of that parcel conveyed to "The Wild Bunch" by deed recorded in Book 6725, page 634 of the St. Louis County Records, situated in U.S. Survey 886, Township 45 North-Range 4 East, in the City of Chesterfield, St. Louis County, Missouri being more particularly described as:

Beginning at a point on the eastern line of Lot 39 of "Country Place at Chesterfield Plat One", a subdivision according to plat thereof recorded in Plat Book 249, page 39 of the St. Louis County Records at the southwestern corner of a tract of land conveyed to Ebello and Norma Pasia by deed recorded in Book 6753, page 75 of the St. Louis County Records, thence along Pasia's southern line, South 89 degrees 54 minutes 27 seconds East 303.23 feet to the northwestern corner of a tract of land conveyed to Dennis Walsh, Etal. By deed recorded in Book 9435, page 666 of the St. Louis County Records, thence along Walsh's western line, South 04 degrees 31 minutes 28 second West 169.87 feet to a point; thence South 25 degrees 40 minutes 59 seconds East 75.26 feet to a point; thence South 01degree 01 minute 43 seconds east 316.00 feet to a point on the northern line of Parcel 1 of those tracts of land conveyed to Thomas Fleming, Trustee by deed recorded in Book 11949, page 1634 of the St. Louis County Records, thence along Fleming's northern line, South 86 degrees 55 minutes 19 seconds West 319.39 feet to a point on the eastern line of Lot 80 of "Country Place of Chesterfield Plat Three", a subdivision according to plat thereof recorded in Plat Book 263, Page 67 of the St. Louis County Records; thence along the eastern line of said subdivision, North 00 degrees 55 minutes 22 seconds West 570.82 feet to the point of beginning, containing 4.00 acres according to a survey by Volz, Inc. during the month of October, 2004.

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 Dollar Construction in P.Z. 5-2005 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 hearings, held by the Planning Commission on the 13th day of June 2005, 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 21st day of May, 2007.



ATTEST:

Maisha A. DeMay
CITY CLERK

Approved May 25, 2007
[Signature]
MAYOR
[Signature]
Pres. Pro Tem ~~██████████~~
Presiding Officer

FIRST READING HELD: 3/19/07