

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "NU" NON-URBAN DISTRICT TO AN "E ONE ACRE" ESTATE RESIDENCE DISTRICT FOR A 3.28 ACRE TRACT OF LAND LOCATED ON THE WEST SIDE OF WILSON ROAD, DIRECTLY NORTH OF WILSON MANORS II SUBDIVISION (P.Z. 14-2007a WILSON BLUFFS/SMS GROUP, LLC)**

**WHEREAS**, the Petitioner, SMS Group, LLC, originally requested a change in zoning from "NU" Non-Urban District to "E One-Half Acre" Estate District for a 3.28 acre tract of land located on the west side of Wilson Road, directly north of Wilson Manors II Subdivision; and,

**WHEREAS**, the Planning Commission held a public hearing on March 26, 2007 to the consider the matter; and,

**WHEREAS**, issues were raised regarding the appropriateness of the zoning request and the proposed lot sizes; and,

**WHEREAS**, the Petitioner, having heard these concerns, amended his request to "E One Acre" District; and,

**WHEREAS**, the Planning Commission recommended approval of the amended request by a vote of 8-0 on May 14, 2007; and,

**WHEREAS**, at its May 24, 2007 meeting, the Planning and Zoning Committee, having considered the same, recommended P.Z. 14-2007a Wilson Bluffs for approval; and,

**WHEREAS**, the City Council, voted to approve P.Z. 14-2007a Wilson Bluffs.

**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 "E One Acre" Estate Residence District for a 3.28 acre tract of land located on the west side of Wilson Road, directly north of Wilson Manors II Subdivision. A description of the subject site is as follows:

## PROPERTY DESCRIPTIONS

A TRACT OF LAND IN THE SOUTH PART OF THE SOUTHWEST ONE QUARTER OF THE NORTHWEST ONE QUARTER OF SECTION 16, IN TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 27 OF "WILSON MANORS II PLAT 1" AS RECORDED IN PLAT BOOK 262 PAGE 68 OF THE ST. LOUIS COUNTY RECORDS, BEING ALSO THE SOUTHEAST CORNER OF LOT 20 OF "CHESTERFIELD LAKES" AS RECORDED IN PLAT BOOK 150 PAGE 78 OF THE ST. LOUIS COUNTY RECORDS; THENCE NORTH 00 DEGREES 48 MINUTES 12 SECONDS EAST 208.73 FEET ALONG THE EAST LINE OF SAID LOT 20 OF "CHESTERFIELD LAKES" TO THE SOUTHWEST CORNER OF PROPERTY CONVEYED TO MYRTLE G. LUNING, TRUSTEE BY DEED RECORDED IN BOOK 12493 PAGE 211 OF THE ST. LOUIS COUNTY RECORDS; THENCE SOUTH 89 DEGREES 58 MINUTES 06 SECONDS EAST 625.19 FEET ALONG THE SOUTH LINE OF SAID LUNING PROPERTY AND THE SOUTH OF PROPERTY CONVEYED TO WILLIAM CARRELL TANDY, JR. AND SONYA F. TANDY BY DEED RECORDED IN BOOK 12112 PAGE 2141 OF THE ST. LOUIS COUNTY RECORDS TO THE ACTUAL POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN, THENCE SOUTH 89 DEGREES 58 MINUTES 06 SECONDS EAST 687.77 FEET ALONG THE SOUTH LINE OF SAID TANDY PROPERTY AND THE SOUTH LINE OF PROPERTY CONVEYED TO JOSEPH KACHKOVSKY AND NASTASHA KACHKOVSKY BY DEED RECORDED IN BOOK 11420 PAGE 2431 OF THE ST. LOUIS COUNTY RECORDS, TO WEST LINE OF WILSON ROAD, BEING 20 FEET WEST OF THE ORIGINAL CENTERLINE; THENCE SOUTH 01 DEGREES 09 MINUTES 48 SECONDS WEST 208.75 FEET ALONG SAID WEST LINE OF WILSON ROAD TO THE EASTWARD PROLONGATION OF THE NORTH LINE OF SAID "WILSON MANORS II PLAT 1"; THENCE NORTH 89 DEGREES 58 MINUTES 06 SECONDS WEST 683.65 FEET ALONG SAID NORTH LINE OF "WILSON MANORS II PLAT 1" TO THE POINT OF BEGINNING AND CONTAINING 3.28 ACRES MORE OR LESS.

**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 SMS Group, LLC in P.Z. 14-2007 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 26<sup>th</sup> day of March 2007, 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.

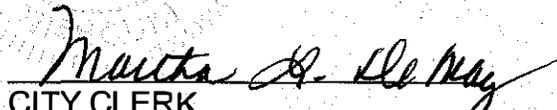
**Section 4.** This ordinance and the requirements thereof are exempt from the warnings and summons for violations as set out in Section 1003.410 of the Zoning Ordinance of the City of Chesterfield.

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

Passed and approved this 18<sup>th</sup> day of June, 2007.

  
MAYOR

ATTEST:

  
CITY CLERK

FIRST READING HELD: \_\_\_\_\_