

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A "R3" RESIDENCE DISTRICT TO "R6A" RESIDENCE DISTRICT FOR A 1.26 ACRE TRACT OF LAND LOCATED AT 1000 N. WOODS MILL ROAD, ¼ MILE SOUTH OF THE INTERSECTION OF WOODS MILL ROAD AND OLIVE BOULEVARD (P.Z. 12-2009 NEW KINKEAD ESTATES {JAMES AND SUZANNE BURNLEY})**

**WHEREAS**, the petitioners, James and Suzanne Burnley, have requested a change of zoning from a "R3" Residence District to a "R6A" Residence District for a 1.26 acre tract of land located at 1000 N. Woods Mill Road, ¼ mile south of the intersection of Woods Mill Road and Olive Boulevard; and,

**WHEREAS**, Public Hearings were held before the Planning Commission on July 27, 2009 and on September 14, 2009; and,

**WHEREAS**, the Planning Commission, having considered said request, recommended approval of the rezoning request; and,

**WHEREAS**, the City Council, having considered said request, voted to approve the rezoning request.

**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 establishing a "R6A" Residence District for a 1.26 acre tract of land located at 1000 N. Woods Mill Road, ¼ mile south of the intersection of Woods Mill Road and Olive Boulevard and described as follows:

Part of a tract of land, described in Book 8789 Page 1262 of the St. Louis County Records, being part of Lot 3 of "Kinkead Estate" in U.S. Survey 367, Township 45 North, Range 5 East in St. Louis County, Missouri, and described as follows:

Beginning at the intersection of the East line of Woods Mill Road, 60.00 feet wide, with the South line of property conveyed to Frederick O. Sahm and wife by Deed recorded in Book 2297, Page 469 of the St. Louis County Records, which is also the center line of Beck Drive a private street, 50 feet wide, established by instrument recorded in Book 2502 Page 53; thence along the centerline of Beck Drive South 82 degrees 45 minutes East, 191.65 feet to the Northwest corner of a 3.00 acre tract conveyed to Albert A. Weinrich and Wife by Deed recorded July 18, 1949, Daily No. 128; thence along the West line of said Weinrich tract, South 7 degrees 15 minutes West, 320.96 feet to a point; thence North 64 degrees 47 minutes West 177.51 feet

to the East of said Woods Mill Road, 50 feet East of the center line of said Road; thence along the East line of said Woods Mill Road North 6 degrees 39 minutes east, 27.04 feet to a point; thence North 83 degrees 21 minutes West, 20.00 feet to the East line of said Woods Mill Road, 60.00 feet wide; thence along the East line of said Woods Mill Road North 6 degrees 39 minutes East, 239.39 feet to the point of beginning and containing 1.256 acres, more or less.

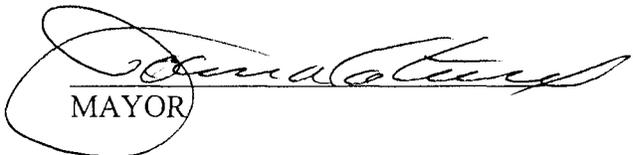
**Section 2.** The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations as recommended by the Planning Commission in its recommendations to the City Council.

**Section 3.** The City Council, pursuant to the petition filed by James and Suzanne Burnley in P.Z. 12-2009 New Kinkead Estates, 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 27th day of July, 2009 and on the 14<sup>th</sup> day of September, 2009, 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 warning 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 19<sup>th</sup> day of OCTOBER, 2009.

  
MAYOR

ATTEST:

  
CITY CLERK

FIRST READING HELD: 10/5/09