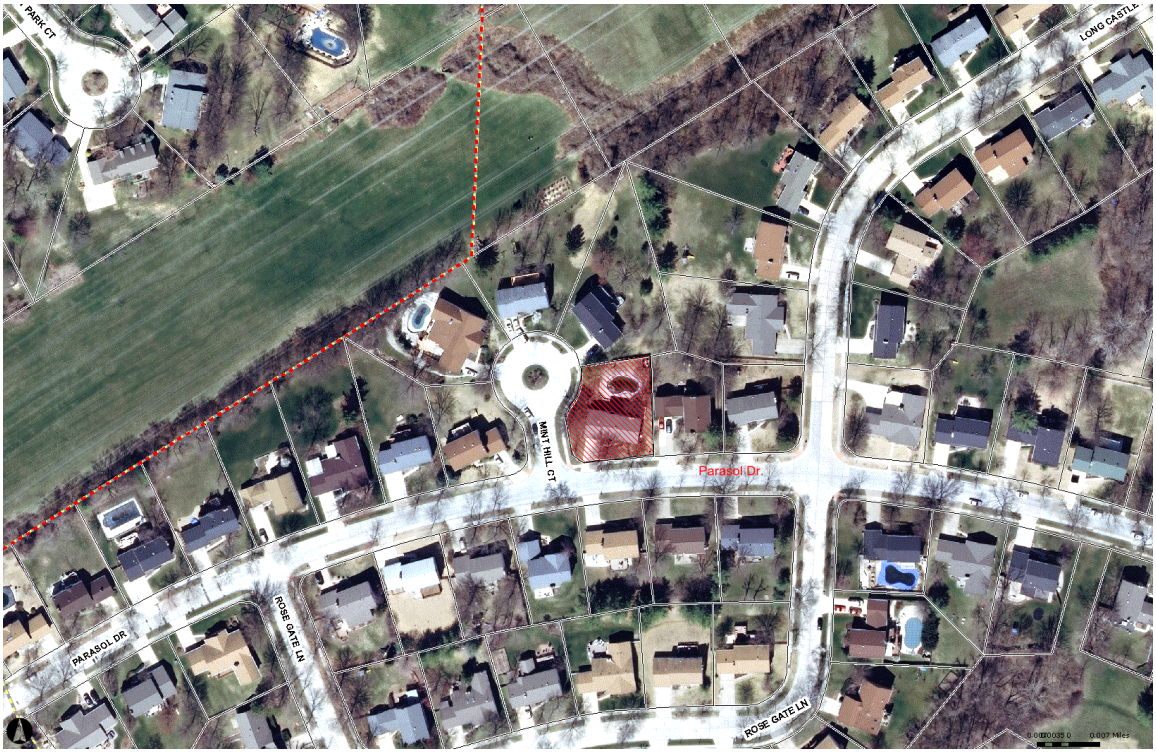
Notice of Public Hearing
City of Chesterfield
Board of Adjustment

NOTICE IS HERBY GIVEN that the Board of Adjustment of the City of Chesterfield will hold a Public Hearing on Thursday, May 7, 2009 at 7:00 p.m. in the City Council Chambers at the City of Chesterfield City Hall, 690 Chesterfield Parkway West, Chesterfield, Missouri 63017.

The Board will consider the following:

B.A. 01-2009 15563 Parasol Drive (Nancy Nahlik): A request for a variance from St. Louis County Ordinance 5189 to permit an existing residence located at the referenced address in Meadowbrook Farm Subdivision to maintain a three (3) ft. side yard setback in lieu of the required eight (8) ft. side yard setback. (20S130125)



All interested parties are invited to appear and be heard at the hearing.

Copies of the request are available for review at City Hall Monday through Friday, from 8:30 a.m. to 4:30 p.m. If you should need additional information about this project, please contact Annissa McCaskill-Clay, Lead Senior Planner by telephone at 636-537-4737 or by email at amccaskill@chesterfield.mo.us.

City of Chesterfield

Annissa McCaskill-Clay, AICP
Lead Senior Planner

690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

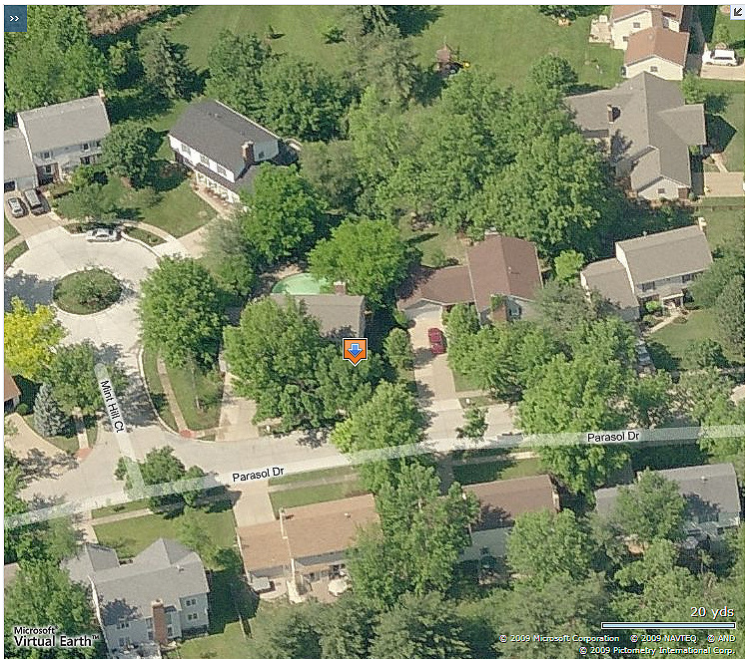
IV.

Board of Adjustment Staff Report

Meeting Date: **May 7, 2009**

From: **Annissa McCaskill-Clay, AICP**
Lead Senior Planner

Petition: **B.A. 01-2009 15563 Parasol Drive (Nancy Nahlik)**: A request for a variance from St. Louis County Ordinance 5189 to permit an existing residence located at the referenced address in Meadowbrook Farm Subdivision to maintain a three (3) ft. side yard setback in lieu of the required eight (8) ft. side yard setback. (20S130125)



Background

Dr. and Mrs. James Nahlik are the owners of a single family residence at 15563 Parasol Drive, which is located in the Meadowbrook Farms Subdivision. Meadowbrook Farms is zoned "R2" Residence District with a Planned Environment Unit (PEU) Procedure. St. Louis County Ordinance 5189 provides for development under the PEU. A PEU is an

alternate zoning procedure for residential districts. According to the City of Chesterfield Zoning Ordinance the intent of a PEU is "to permit flexibility in building types, encourage economic and energy efficient subdivision design, and to encourage the provision of supporting community facilities in the development of diverse, sound, urban developments under conditions of approved site and development plans." For an "R2" Residence District with a PEU, the side yard setbacks for an "R3" Residence district would be applicable. In the development of Meadowbrook Farms, an eight (8) foot side yard setback was established. On March 26, 2009, the City of Chesterfield rejected a municipal zoning approval for a new deck because it extended beyond the established eight (8) foot side yard setback. There is an existing deck on the site that also extends beyond the side yard setback, and in its review Staff attempted to locate an original survey of the property or building permit showing the existing deck was original to the home and therefore could be approved. Because there is no documentation for the original deck, it was determined that its replacement, which is apparently smaller, could not be receive Municipal Zoning Approval. The only relief from the established setbacks is a grant of variance from the Board of Adjustment.

Petitioner's Request

See the petitioner's attached Application to the Board of Adjustment for Variance.

Approval Criteria

1. In order to grant a variance, there must be proof that the applicant did not bring the burden upon himself through some action, but instead had the burden imposed on him.
2. An individual cannot create a situation and then claim he needs a variance. Wolfner v. Board of Adjustment of City of Warson Woods, 114 S.W.3d 298 (Mo.App.E.D., 2003).
3. The burden of proving the elements is on the applicant.
4. Missouri Revised Statute Chapter 89.090 requires that a Board of Adjustment may only grant variances when the applicant has established the necessary "practical difficulties or unnecessary hardship" and when "the spirit of the ordinance shall be observed, public safety and welfare secured and substantial justice done.
5. Section 2-216 of the City of Chesterfield Municipal code states that the Board of Adjustment shall have the following powers:
   "To permit a variation in the yard requirements of any zoning district or the building or setback lines from major highways as provided by law where there are practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions, provided that such variance will not seriously affect any adjoining property or the general welfare of the public."

Staff requests action by the Board of Adjustment on B.A. 01-2009 15563 Parasol Drive.

Exhibits:

1. City of Chesterfield Zoning Ordinance (not in packet)
2. Notice of Publication
3. Affidavit of Publication (not in packet)
4. Staff Report
5. Petitioner's Application
   i. Application to Board of Adjustment
   ii. Rejected Application
6. St. Louis County Ordinance 5189

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& PUBLIC WORKS

City of Chesterfield

04-03-09A09:15 RCVD

DEPARTMENT OF PLANNING

APPLICATION TO THE BOARD OF ADJUSTMENT FOR A VARIANCE

The Board of Adjustment is a local body consisting of volunteers appointed by the Mayor. Its responsibility is to hear appeals from decisions of the City of Chesterfield Department of Planning and to consider requests for variances and exceptions. A variance is an approved departure from the provisions of the zoning requirements for a specific parcel, without changing the zoning ordinance underlying zoning of the parcel. A variance usually is granted only upon demonstration of hardship based on the peculiarity of the property in relation to other properties in the same zone district. For questions about this application, please contact the "Planner of the Day" at 636-537-4733. For information about this and other projects under review by the Department of Planning, please visit "Planning Projects" at www.Chesterfield.mo.us.

Check (✓) the type of variance for which you are applying:

[ ] Area (bulk) variance: A request to allow deviation from the dimensional (i.e. height, bulk yard) requirements of a zoning district.

[X] Appeal of an Administrative determination

Note: A $70 fee applies

Please note areas in gray will be completed by the Department of Planning.

STATE OF MISSOURI)
)
CITY OF CHESTERFIELD)
Petition for Appeal from Zoning Regulations

BOA NUMBER 01-2009
HEARING DATE 5-7-09

I. APPLICANT INFORMATION

Owner(s) of record of the hereinafter described property according to St. Louis County Assessor's Record: Nancy Engle et al
Address: 15563 Parasol Dr.
City: Chesterfield State: MO Zip: 63017
Tel.: 314-369-3705 Fax: 314-996-5766

Petitioner, if other than owner(s): /
Address:
City: State: Zip:
Tel.: Fax:
Legal Interest:
(Provide date of contract and date of expiration of contract)

*Attach additional sheets as necessary for other Parties of Interest (Architect, Engineer, etc.)

II. PROPERTY INFORMATION

Project Address: 15563 Parasol Dr.

Locator Number(s): 20 5 13 0125

(List additional locator numbers on separate sheet and attach to petition)

Acreage: _____ (To the nearest tenth of an acre)

Subdivision Name (If applicable): Meadowbrook Farm Plat 10

Current Zoning District: _____

Legal Description of Property: 15563 Parasol Dr. Chesterfield
Blk Lot 428
Meadowbrook Farm Plat 10
12 5 78

(Attach additional sheets as necessary)

III. NATURE OF REQUEST FOR VARIANCE

Unique physical characteristics of the lot (e.g., size, slope, etc.): Corner lot w/ limited space for deck. Previous deck approved for builder which extended 4' beyond corner. Proposed deck will end @ corner & extend out. (See attached 'A')

(Attach additional sheets as necessary)

Description of the necessity of the proposed improvement: Keep base of stairs a safe distance from pool.

(Attach additional sheets as necessary)

Ordinance Number and section to which a variance is sought: Side building setback on record is 8 feet. Outermost corner of stair landing is at 5 feet. This side of house has 5 foot easement.

(Attach additional sheets as necessary)

Basis for appeal of the above action: Requesting for approved variance.

(Attach additional sheets as necessary)

Do deed restrictions or subdivision trust indentures for the property prohibit the use or construction which is requested by this petition? Check (✓) one [ ] Yes [X] No

Specify the action to which the appeal is sought: Seeking variance approval.

(Attach additional sheets as necessary)

Description of the effect or impact on neighboring properties: Neighbor approves of the plan as it provides additional space between our property. See attached letter

(Attach additional sheets as necessary)

Statement of any other hardship or information for this appeal:

(Attach additional sheets as necessary)

Please complete the sections below as applicable:

A. Setbacks/Height:

The Petitioner(s) request the following setback(s):

Front yard:
Side yard: 3 feet at outermost corner of the deck.
Rear yard:
Height:

The City of Chesterfield Zoning Ordinance Regulations require the following setback(s) for this site:

Front yard:
Side yard:
Rear yard:
Height:

The following information correctly presents the true conditions and also describes the practical difficulties and unnecessary hardships warranting action by the Board.

_____

_____

_____

_____

_____

Include two (2) completed copies of this application with original signatures and two (2) copies of the following:

1. A site development plan showing:
   - The dimensions and location (including distance from property lines) of all existing and proposed buildings and structures.
   - Letters from abutting property owners stating their position.
2. A $70.00 fee. (Checks/money orders to be made payable to the City of Chesterfield.)
3. A copy of the City of Chesterfield rejection or denial.

B. Signage: n/a

Number and size of allowable attached business signs by ordinance: _____

_____

_____

Number and size of allowable freestanding business signs by ordinance: _____

_____

_____

The petitioner further represents that the increased sign size or height would not be injurious to the neighborhood, or otherwise be detrimental to the public welfare for the following reasons: _____

_____

_____

_____

_____

Include two (2) completed copies of this application with original signatures and two (2) copies of the following:

1. A site plan showing:
   - The subject property with adjoining streets, existing buildings, major parking lot, and distance to property lines.
   - The location of proposed signs.
   - If attached wall signs, the cross section of wall on which sign is to be placed with dimensions and total square feet (or portion of total wall that will contain petitioner's business)

2. A detail sign plan indicating:
   - Dimension of signs with detail sign lettering layout.
   - Total square feet of signs. If attached, what percent of wall.
   - Light detail, if any.

3. Letters from abutting property owners stating their position.

4. A $70.00 fee. (Checks/money orders to be made payable to the City of Chesterfield.)

5. A copy of the City of Chesterfield rejection or denial.

III. COMPLIANCE

Is property in compliance with all previous conditions of approval of all applicable Ordinance requirements?

[ ] Yes [ ] No. If no, please explain: _____

_____

_____

Is property in compliance with all Zoning, Subdivision, and Code requirements?

[ ] Yes [ ] No. If no, please explain: _____

_____

_____

[THIS SPACE INTENTIONALLY LEFT BLANK]

IX. LIENS AND FINES CERTIFICATION

Project Name: _____ **Ward:** _____

STATE OF MISSOURI, CITY OF CHESTERFIELD

[I] [we], _____ (a duly licensed attorney or title insurance company
(print, type or stamp name of attorney or title company)

in the State of Missouri), do hereby certify to the Council of the City of Chesterfield that [I] [we] have examined the title to the herein described property; that [I] [we] find the title to the property is vested to _____ ; that there are no fines and/or liens of record on the property
(name of owner(s))

by or owed to the City of Chesterfield [or] that the following fines and/or liens are owed to the City of Chesterfield:

1. _____
2. _____
3.
4. _____

_____ _____
(Attorney-at-law licensed in Missouri) Date

Missouri Bar # _____

-or-

_____ _____
(Officer of title insurance company) Date

_____
Print, type or stamp name and title

[THIS SPACE INTENTIONALLY LEFT BLANK]

XI. STATEMENT OF CONSENT

Consent is required from the property owner(s) and contract purchaser, if applicable, to their agent if the property owner(s) or contract purchaser do not intend to attend all meetings and public hearings and submit in person all material pertaining to the application. A separate form is required from each owner/contract purchaser. Consent to a firm shall be deemed consent for the entire firm, unless otherwise specified. Consent is valid for one year from date of notary, unless otherwise specified. Attach copy of last recorded warranty deed for subject property.

STATEMENT OF CONSENT

I hereby give CONSENT to _____ (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge of the property I have an ownership interest in is the subject of this application. I further certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the City of Chesterfield, Missouri, and will not be returned. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the City of Chesterfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

OWNER/CONTRACT PURCHASER INFORMATION:

I am the [ ] owner [ ] contract purchaser. (check (✓) one)

_____ _____

(Name- type, stamp or print clearly) (Signature)

_____

(Name of Firm) (Address, City, State, Zip)

Note: Attach additional sheets as necessary.

NOTARY PUBLIC INFORMATION: STATE OF MISSOURI, CITY OF CHESTERFIELD

The foregoing instrument was subscribed and sworn to before me this _____ day of _____ , 20 _____ .

Signed _____ Print Name: _____

Notary Public

Seal/Stamp:

My Commission Expires: _____

XII. AFFIDAVIT OF COMPLETENESS AND ACCURACY

INSTRUCTIONS: To be completed by individual submitting application (property owner, petitioner with consent, or authorized agent).

Project Name: 15563 Parasol 63017 **Submittal Date:** _____

STATEMENT OF COMPLETENESS AND ACCURACY

I hereby certify all property owners have full knowledge the property they own is the subject of this application. I hereby certify that all owners and petitioners have been provided a complete copy of all material, attachments and documents submitted to the City of Chesterfield relating to this application. I further certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related application material and all attachments become official records of the City of Chesterfield, Missouri and will not be returned. I understand that any knowingly false, inaccurate or incomplete information provided by me will result in the denial, revocation or administrative withdrawal of this application, request, approval or permit. I further acknowledge that additional information may be required by the City of Chesterfield to process this application. I further represent and warrant that I have not made any arrangement to pay any commission, gratuity, or consideration, directly or indirectly, to any official, employee, or appointee of the City of Chesterfield with respect to this application. I further consent to the City of Chesterfield to publish, copy or reproduce any copyrighted documents submitted as a part of this application for any third party. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

Check (✓) one: [X] I am the property owner. [ ] I am the contract purchaser.

[ ] I am the duly appointed agent of the petitioner.

Nancy Nahlik
(Name- type, stamp or print clearly)

Nancy Nahlik
(Signature)

(Name of Firm)

15563 Parasol Chesterfield 63017
(Address, City, State, Zip)

Note: Attach additional sheets as necessary.

NOTARY PUBLIC INFORMATION: STATE OF MISSOURI, CITY OF CHESTERFIELD

The foregoing instrument was subscribed and sworn to before me this 8th day of April, 20 09 .

Signed Pamela Shelton Notary Public Print Name: Pamela Shelton

My Commission Expires: 8/29/11 Seal/Stamp:

PAMELA SHELTON
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Charles County
My Commission Expires: August 29, 2011
Commission Number: 07226746

B. A. 01-2009 Nancy Nahlik

STAFF / BOA USE ONLY

Intake Date: April 3, 2009

This petition is granted / denied (circle one) on the _____ day of _____ 20 ___

Signed: _____

Chairman

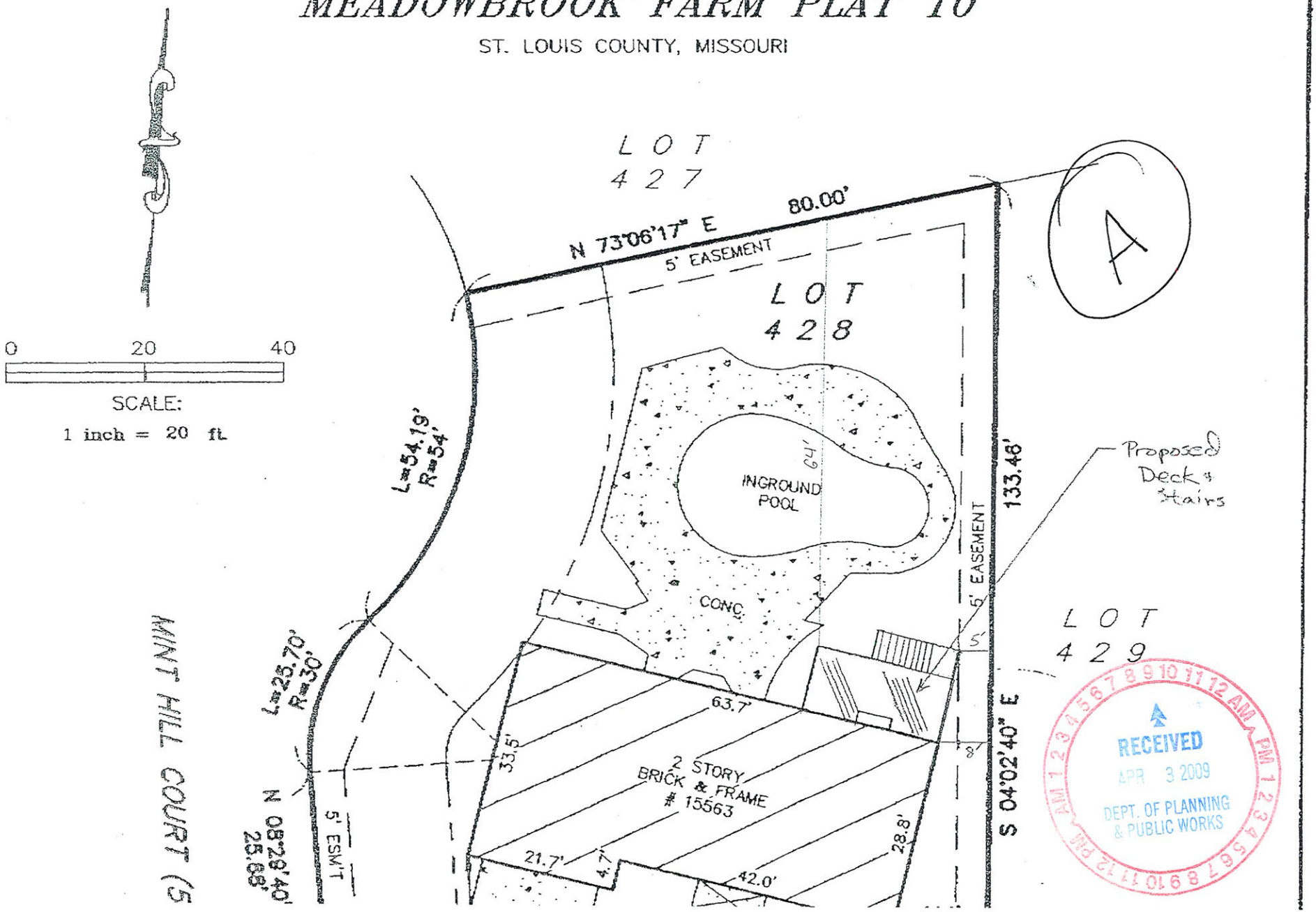
[THIS SPACE INTENTIONALLY LEFT BLANK]

Jim + Nancy Nahlik

SURVEYOR'S REAL PROPERTY REPORT
THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY

MEADOWBROOK FARM PLAT 10

ST. LOUIS COUNTY, MISSOURI



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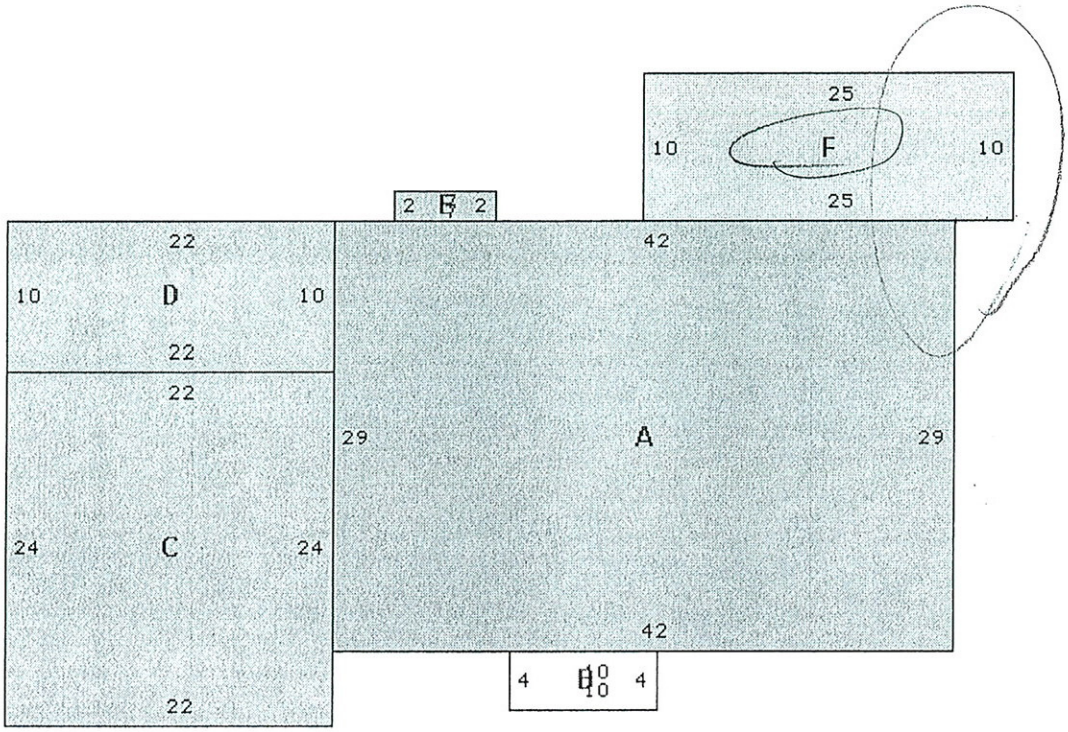

old deck - placement since built in 1978

Locator ID: 20S130125 **Card:** 1 15563 PARASOL DR, CHESTERFIELD, MO 63017

Key	Area	Description	Floor
A	1218	Main Dwelling: Alum / Vinyl Stories: 2 Basement: Full	
B	40	Open Frame Porch	First
C	528	Frame Garage	First
D	220	One Story Frame	First
E	14	Frame Overhang	First
F	250	Wood Deck	First
TLA:	2670		

As a service to the public, the St. Louis County Assessor's office is pleased to present the information on this web site. We have tried to ensure that the information provided is as accurate as possible. The Assessor's Office makes no warranty or guarantee concerning the accuracy or reliability of the content at this site or at other sites which are linked to ours. Assessing accuracy and reliability of information is the responsibility of the user. The Assessor's Office shall not be liable for errors contained herein or for any damages in connection with the use of the information contained herein.

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& PUBLIC WORKS
Deck w/b reduced in size
to ① align w/ house
② not be on easement.

April 1, 2009

City of Chesterfield

Department of Planning

Chesterfield, MO 63017

We are immediate neighbors to Jim and Nancy Nahlik at 15563 Parasol Dr. in Chesterfield. The Nahlik's wish to replace their deck and we are in total support of the project.

The current deck extends past the edge / side of their home by a few feet. The new proposed deck will **not** have that extension and will provide additional space between our property. Therefore we are in support.

Sincerely,

Ryan Soderstrom

15557 Parasol Drive

Chesterfield, MO 63017

Nancy Soderstrom

OUTDOOR LIVING INC.

Archadeck of St. Louis

TRUSTEE APPROVAL
James & Nancy Nahlik
15563 Parasol Dr.
Chesterfield, MO 63017

The City of Chesterfield requires subdivision trustee approval for your project before they will approve a design for zoning and permitting. The subdivision trustees will need to review the enclosed drawing.

Please have your trustees sign below and return this letter to our office.

" The project for the above address has received subdivision trustee approval."

Trustee _____ Trustee _____

If not applicable, please sign below and return to us.

" The project for the above address does not require subdivision trustee approval."

Purchaser _____ Purchaser _____

Thank you for your prompt attention to this matter.

Attn: Dave Wibbenmeyer

Outdoor Living Inc. D/B/A Archadeck of St. Louis
845 S. Holmes Avenue • Kirkwood, MO 63122 • Phone 314-966-7799 • Fax 314-966-5301
www.outdoorlivinginc.com

2009 #1

MEADOWBROOK FARM
CLARKSON ESTATES

COMBINATION PROJECT ACKNOWLEDGEMENT & HOME / PROPERTY IMPROVEMENT APPLICATION

Date of Request 2/23/09 (to be filled in by Trustees upon receipt)

Property owner: James & Nancy Nahlik

Owner's address: 15563 Parasol Dr.
Chesterfield, MO 63017

Phone: 314.369-3705 - cell

Address of property being improved: above

Description of Improvement: Remove existing deck & construct new deck

Anticipated Completion date: 4.30.09

Owner's Signature: Nancy Nahlik Jas Nahlik Date: 2.17.09

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2009
DEPT. OF PLANNING & PUBLIC WORKS

(BELOW TO BE COMPLETED by MEADOWBROOK FARM / CLARKSON ESTATE TRUSTEE)

I. PROJECT ACKNOWLEDGEMENT

This is to acknowledge that the property owner as listed above has submitted a Home Improvement Application to the Meadowbrook Farm/Clarkson Estate Subdivision for the property improvement as stated above. **This does not constitute an approval of the project by the Subdivision, only that an application has been received.**

Board of Trustees Acknowledgement _____ Date _____

Return to:

Meadowbrook
Farm/Clarkson Estate
Board of Trustees
P.O. 6781
Chesterfield, MO 63006

II. PROJECT APPROVAL

APPROVED* or REJECTED (circle one)

Board of Trustees 1st Signature _____ Date _____

Board of Trustees 2nd Signature _____ Date 2/26/09

Make Sure to Include:
1. Copy of plans and specification for your project.
2. A copy of your lot Survey with the proposed improvement outlined in red or blue.
3. Refer to page 1 and website for requirements

Comments from Board: make sure all necessary permits are received

*** Approval is based on plans & proposals as submitted in this application. If plans or proposals change, please resubmit application.**

20513025 090196

City of Chesterfield

DEPARTMENT OF PLANNING

RECEIVED MAR 20 2009 DEPT OF PLANNING & PUBLIC WORKS

APPLICATION FOR MUNICIPAL ZONING APPROVAL

TO: Department of Public Works
Division of Code Enforcement
St. Louis County Government
41 South Central
Clayton, Missouri 63105

FROM: City of Chesterfield

03-20-09A11:37 RCVD

The City of Chesterfield contracts with the St. Louis County Department of Public Works to provide permitting and inspection services. Review of plans, collection of fees, and issuance of permits are handled by the County. However, before obtaining any permit, or beginning any construction project, a zoning approval must be obtained from the City of Chesterfield.

Zoning approval signifies that the property can be used as requested and that the location of a proposed structure is within the legal limits of the property lines as delineated by regulations contained within the City of Chesterfield Zoning Ordinance. Please be advised that some sites have regulations that are more restrictive as part of conditions of the ordinance governing a particular Planned Commercial District, Planned Industrial District, Estate District, Mixed Use Development District, Conditional Use Permit, Commercial-Industrial Designed Development Procedure, Planned Environmental Development Procedure, or Landmark Preservation Area.

Petitioners are strongly urged to visit the County web site at http://www.stlouisco.com/pubworks/ or contact the St. Louis County Department of Public Works at (314) 615-7155 for submittal requirements, permitting information and a detailed list of work that does not require a building permit and/or zoning approval

For questions about this application, please contact the "Planner of the Day" at 636-537-4733.

I. APPLICANT INSTRUCTIONS

1. Obtain City of Chesterfield approval;
2. Obtain *Fire District approval; An additional separate permit is required from the fire district.
3. Obtain St. Louis County approval.

*NOTE: **It is the responsibility of the applicant to determine which Fire District covers the project property.**

- Monarch Fire Protection District: Tel. 314-514-0900, ext. 309
- Metro West Fire Protection District: Tel. 636-458-2100

II. PROJECT INFORMATION

Property Owner: James + Nancy Nahlik

Project Address: 15563 Parasol Dr.

City: Chesterfield **State:** MO **Zip:** 63017

Tenant Name (if different than above):

Owner/Tenant Authorization to Applicant: Nancy Nahlik Jim Nahlik

(Signature of owner/tenant or duly authorized agent required)

Applicant Name: ArchaDeck/OutDoor Living Inc.
Applicant Address: 845 S. Holmes Ave. Kirkwood, MO 63122
Phone Number: 314-966-7799 Attn: Tim Leahy

Name of Subdivision: Meadowbrook Farm Plat 10, W3, Lot 428

I hereby certify that I have advised the subdivision trustees of the proposed work:

(Signature of owner/applicant required)

*For Residential Tear Downs or Additions that fall under the requirements of Section 1003.126A and 1003.126B the following must be completed in addition to the above:

I hereby certify that I have advised adjacent neighbors of the proposed work:

(Signature of owner/applicant required)

Description of Work: Replacing existing deck with new deck.

Advisory: **Applications for Municipal Zoning Approval which are rejected may be resubmitted once changes have been made. Please note that relief from some requirements, in the form of a variance, may be requested via application to the Board of Adjustment. For information about the Board of Adjusment, please contact the Department of Planning and Public Works at 636-537-4746.**

NOTE: PAGES *1, 2, & 3* MUST BE RETURNED FOR APPROVAL

City of Chesterfield

Municipal Zoning Application

Rejected

MZA_090196

Date: 3/26/2009

Property Address	Subdivision		Lot
15563 PARASOL DR	49	MEADOWBROOK FARM	428

Locator #	Ward	Date Received	Flood Plain
20S130125	3	3 /20/2009	NO

Zoning Class	Type
R2	Porch/Patio/Deck

Property Owner	Tenant
James & Nancy Nahlik	Deck

Applicant
Archadeck

Comments

3/20/2009 - Complete - KristineK -
3/23/2009 - Cleared - JeffP -
3/25/2009 - Resubmission Required - DerrickR - Called applicant. The Deck encroaches the side yard setback.
3/26/2009 - Rejected - DerrickR - the side yard setback is 8 ft.

Status	Rejected	3 /26/2009	by Derrick Redhead, Code Enforcement Inspector

signature

ADVISORY:
Applications for Municipal Zoning Approval that are not approved may be resubmitted once changes have been made. Please note that relief from some requirements, in the form of a variance, may be requested via application to the Board of Adjustment; please call the Department of Planning and Public Works at (636) 537-4746.

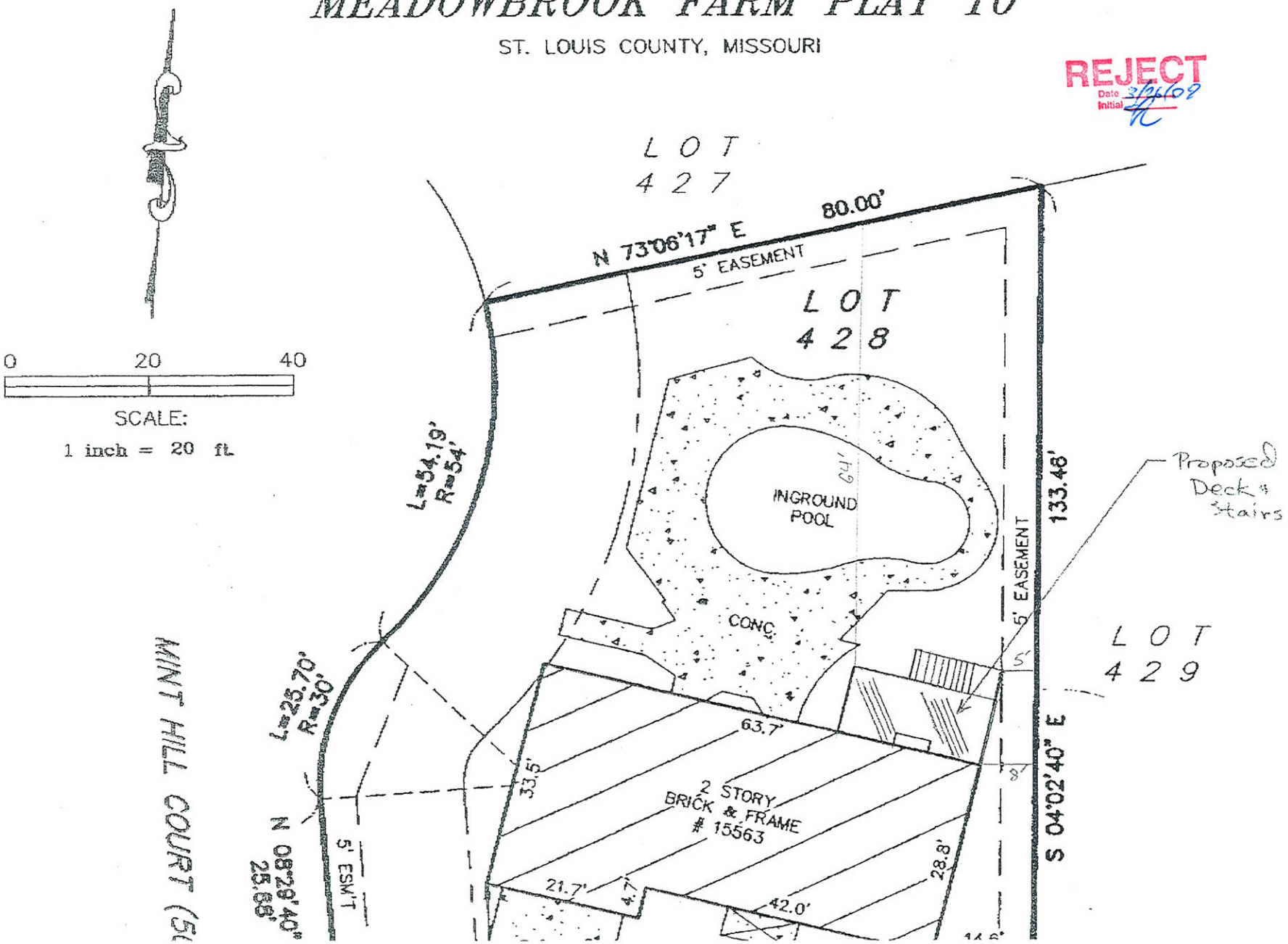
Jim + Nancy Nahlik

SURVEYOR'S REAL PROPERTY REPORT
THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY

MEADOWBROOK FARM PLAT 10

ST. LOUIS COUNTY, MISSOURI

REJECT
Date 3/24/09
Initial



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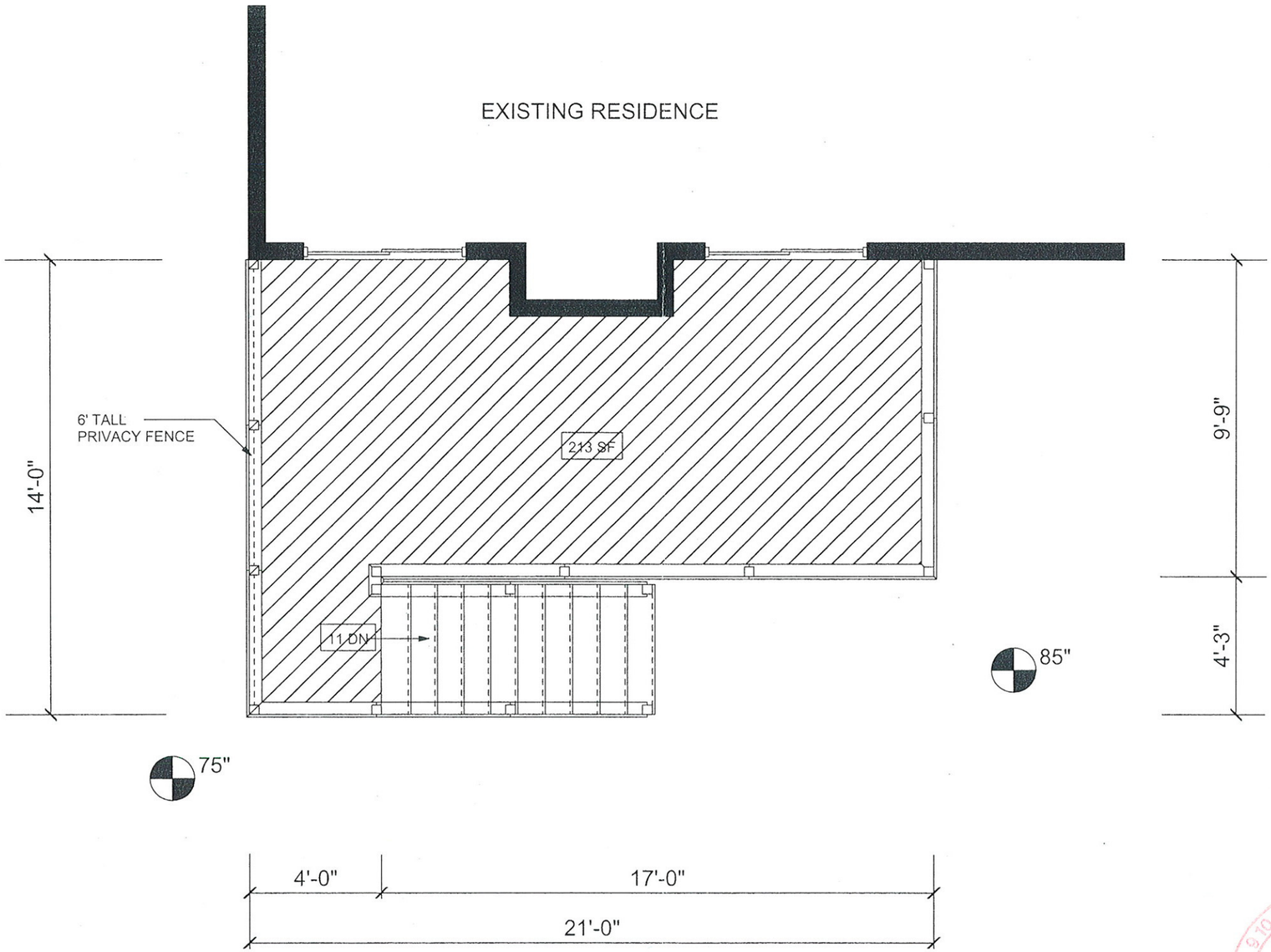
All dimensions are approximate. In the event of a difference between the drawn and written dimensions, the written dimension shall prevail. Due to local differences in building codes and regulations, and specific site conditions, these drawings may need to be modified by the builder to comply with such local codes and regulations, or site conditions.



GENERAL NOTES
5/4x6 EVERGRAIN WEATHERWOOD DECKING, SCREW FASTENED
(2) EVERGRAIN WEATHERWOOD 5/4x6 #C-317-D
36" HIGH, WESTECH ALZAR RAILING SYS. W/ NEW ENGLAND CAP, VINYL PICKETS, BUILT PER MANUF. SPECS. P.T. INSET POSTS #504
EVERGRAIN STAIR #400, w/ 5/4x6 TREADS & RISERS & 2x12 P.T. STRINGERS @ 12" O.C.
6' TALL T & G PRIVACY FENCE W/ 1' PICKET TOP #701-B (MOD.)

RECEIVED
MAR 20 2009
DEPT. OF PLANNING & PUBLIC WORKS

SHEET
FP-1

archadeck® of Saint Louis

SHEET DESCRIPTION
FLOOR PLAN
SCALE = 1/4"

Prepared by U.S. Structures, Inc.
2924 Emerywood Parkway
Suite 101
Richmond, VA 23294

Construction & Drafting Department
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65-NAHLIK-060103
15563 PARASOL DR.
CHESTERFIELD, MO 63017
DRAWN BY: JPS EXT.236
DATE: MAR. 5, 2009

BILL NO. 27 , 1969

ORDINANCE NO. 5189 , 1969

Introduced by Councilman Stewart

AN ORDINANCE

AUTHORIZING AND GIVING PRELIMINARY APPROVAL TO A PLANNED ENVIRONMENT UNIT PLAN FOR THE RESIDENTIAL DEVELOPMENT OF TRACTS OF LAND SPECIFICALLY DESCRIBED HEREIN, LOCATED IN AN "R-2" 15,000 SQ. FT. RESIDENCE DISTRICT; SUBJECT TO CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION AND INCORPORATED HEREIN AND PROVIDING FOR THE RETURN TO THE PLANNING COMMISSION FOR CONSIDERATION OF A FINAL DEVELOPMENT PLAN. (P.C. 72-69 R.G.B. Construction Company).

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

SECTION 1. Preliminary approval of a Planned Environment Unit Plan for the residential development of certain tracts of land located in an "R-2" 15,000 Sq. Ft. Residence District in St. Louis County, Missouri, is granted, said tracts being described as follows:

Several tracts of land in U. S. Survey 1890, T. 45 N., R. 4 E., in St. Louis County, Missouri and being more particularly described as follows, to-wit:

Beginning at the Southeast corner of Lot 2 of the Partition of Lot 3 and part of Lot 2 of Levi C. De Foe's Estate; thence along the South line of said Lot 2, N. 89 degrees 06 minutes W., 1,152.30 feet to the Southwest corner of said Lot 2; thence along the West line of said Lot 2, N. 0 degrees 54 minutes E., 20.00 feet to the Southeast corner of Lot 1 of said Partition; thence along the South line of said Lot 1; N. 89 degrees 06 minutes W., 678.00 feet to the Southwest corner of said Lot 1; thence along the prolongation Southwardly of the West line of said Lot 1 and the East line of Lot 1 of Levi De Foe's Estate, S. 0 degrees 54 minutes W., 20.00 feet to a point on the Southwest line of U. S. Survey 1890; thence along said Southwest line N. 32 degrees 04 2/3 minutes W., 1,012.18 feet to the most Western corner of said U. S. Survey 1890; thence along the Northwest line of said U. S. Survey 1890, N. 57 degrees 43 minutes E., 750.45 feet to a point; thence continuing along said Northwest line, N. 58 degrees 07 minutes E., 2,738.09 feet to the most Western corner of a tract of land conveyed to St. Louis County Water Company by Deed Book 5931 page 346 of the St. Louis County Records; thence along the Southwest line of said tract, S. 31 degrees 53 minutes E., 300.00 feet to the most Southern corner of said tract; thence along the Southeast line of said Tract, N. 58 degrees 07 minutes E., 435.60 feet

to the most Eastern corner of said tract; thence along the Northeast line of said tract, N. 31 degrees 53 minutes W., 300.00 feet to the most Northern corner of said tract, said corner being on the said Northwest line; thence N. 58 degrees 23 minutes E., 661.60 feet to the most Northern corner of a tract of land conveyed to Edward S. Funsten and wife by Deed Book 1274 Page 134 of the St. Louis County Records; thence along the Northeast line of said Funsten tract being also the Southwest line of Lot 6 of John J. Woody Subdivision S. 31 degrees 45 minutes E., 1,402.94 feet to a point; thence N. 57 degrees 58 minutes E., 347.00 feet to a point; thence S. 31 degrees 45 minutes E., 956.23 feet to a point; thence S. 58 degrees 15 minutes W., 323.41 feet to a point on the centerline of Baxter Road, (assumed 30.00 feet wide); thence along said centerline, N. 49 degrees 13 minutes W., 78.63 feet to a point on the Northeast line of aforementioned Funsten tract; thence along said Northeast line, S. 31 degrees 45 minutes E., 285.00 feet to the Southeast corner of said Funsten tract; thence along the South line of said Funsten tract, being also the Northwest line of a tract of land now or formerly of Nichols, S. 57 degrees 55 1/3 minutes W., 3,041.84 feet to a point on the Northeast line of a tract of land conveyed to Meadowbrook County Club by Deed Book 3912, page 364 of the St. Louis County Records; thence along said Northeast line, N. 31 degrees 27 minutes W., 572.40 feet to the point of beginning and containing 235.871 acres, excluding Baxter Road.

SECTION 2. The preliminary approval, pursuant to Section 1003.187 SLCRO 1964, as amended, is granted subject to the conditions recommended by the Planning Commission in its report dated September 3, 1969, as follows:

1. Prior to issuance of a building permit the developer shall (a) comply with all existing ordinances affecting the development of land, (b) submit for review and approval a final development plan, including, but not limited to, location of all lots, drainage facilities, recreational facilities, and existing and proposed contours.

2. The developer shall improve all drainage channels in such a manner as to eliminate all debris and plant material that would restrict the flow of water. Plans for storm drainage shall be submitted to the Department of Public Works-Waste Water Control.

3. The developer shall record with the St. Louis County Recorder of Deeds, prior to the issuance of any building permit, a document satisfactory to the Department of Planning, providing for the maintenance of all common lands, development facilities, and storm drainage facilities.

4. The developer shall record with the St. Louis County Recorder of Deeds, prior to the issuance of any building permit, a document satisfactory to the Department of Planning which provides for the installation and maintenance of all recreational facilities shown on the final development plan.

Upon completion of 50% of the dwelling units, at least 50% of the recreation facilities and improvements shall be installed. Upon completion of 95% of the dwelling units, 100% of the recreation facilities and improvements shall be installed.

5. The developer shall relocate and improve Baxter Road. Plans for Baxter Road shall be approved by the Department of Highways and Traffic and the Department of Planning.

6. All utilities shall be installed underground.

7. This permit authorizes a maximum of four hundred ninety-eight (498) single family dwelling units.

8. In order to properly construct school and other public facilities and improvements, the applicants shall stage the occupancy of dwelling units over a period of at least four years. Occupancy permits for no more than 125 dwelling units shall be issued each twelve-month period following approval of this ordinance.

9. In addition to the conditions herein imposed, this permit shall be subject to all applicable provisions of all St. Louis County ordinances. The Zoning Enforcement Officer of St. Louis County, Missouri shall be charged with the duty of enforcing the conditions of this permit.

10. Prior to approval of the final development plan, the developer shall provide satisfactory evidence to the Planning Commission that the area set aside for a school site will be agreeable to Parkway School District.

SECTION 3. The St. Louis County Council, pursuant to the petition of R.G.B. Construction Company, c/o Fred M. Kemp, 225 South Bemiston, Suite 230, Clayton, Missouri, 63105, requesting the approval of a Planned Environment Unit Plan for Residential Development of the tracts of land described in Section 1 of this ordinance as an alternative zoning, and pursuant to the recommendation of the St. Louis County Planning Commission that said petition be granted, after public hearing held by the said Commission on April 15, 1969, and a regular meeting held on June 2, 1969, adopts this ordinance pursuant to the St. Louis County Charter authorizing the Council to exercise legislative power pertaining to planning and zoning, and returns the application and plan to the St. Louis County Planning Commission for consideration of a final development plan, pursuant

to Section 1003.187 SLCRO 1954, as amended.

ADOPTED: October 9, 1969

Brainerd V. LaTourette, Jr.
CHAIRMAN, COUNTY COUNCIL

APPROVED October 13, 1969

Lawrence K. Roos
COUNTY SUPERVISOR

ATTEST: Mildred Huffman
COUNTY CLERK

April 4, 1969

Mr. Fred M. Kemp, President
R.G.B. Construction Company
222 South Bemiston - Suite 203
Clayton, Missouri 63105

Re: 71-69, 72-

Dear Mr. Kemp:

In scheduling petitions for Public Hearing, the Pla
normally anticipates a presentation by petitioner o
minutes duration. That limitation should minimize t
period for the interested citizens who must wait, fr
an unreasonable length of time, for a specific petit
hearing. In addition, the setting of a maximum presen
should aid each petitioner in estimating the probabl
presentation.

Your cooperation in keeping presentations succinct a
will, therefore, be appreciated by the Planning Comm
other petitioners and by those members of the public
the Public Hearing.

If you feel that more time is necessary for your desc
your proposal, please contact A. W. Landers or Ray Pa
VO 3-6360, Extension 203, or at 111 South Meramec Ave
Missouri, and indicate the amount of time you feel yo
present your proposal.