City of Chesterfield

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

Board of Adjustment Meeting Agenda
Thursday, July 10, 2008
7:00 p.m.
City Council Chambers

I. Introduction of the Board and City Staff

II. Request for Affidavit of Publication

III. Public Hearing Items:

A. **B.A. 03-2008 911 Wellesley Place (Jim and Sandy McKeever):** A request for variance from City of Chesterfield Ordinance 616 to allow an existing residence located at the referenced address in the Wellesley Place Subdivision to maintain an 11 ft. rear yard setback in lieu of the required 15 ft. rear yard setback. (18S630460)

B. **B.A. 04-2008 2309 Callender Ct. (Erma Simmons):** A request for variance from City of Chesterfield Zoning Ordinance Section 1003.113(3)(a) to allow an existing residence located at the referenced address in the Kehrs Mill Farm Subdivision to maintain a 22 ft. front yard setback in lieu of the required 25 ft. front yard setback. (21T610199)

C. **B.A. 05-2008 16292 Upper Chesterfield Ridge Drive (Dennis and Franca Wibbenmeyer):** A request for variance from City of Chesterfield Ordinance 2239, Section E to allow an existing residence located at the referenced address in the Chesterfield Ridge Subdivision to maintain a 20ft. Rear yard setback in lieu of the required 25 ft. rear yard setback. (19T320875)

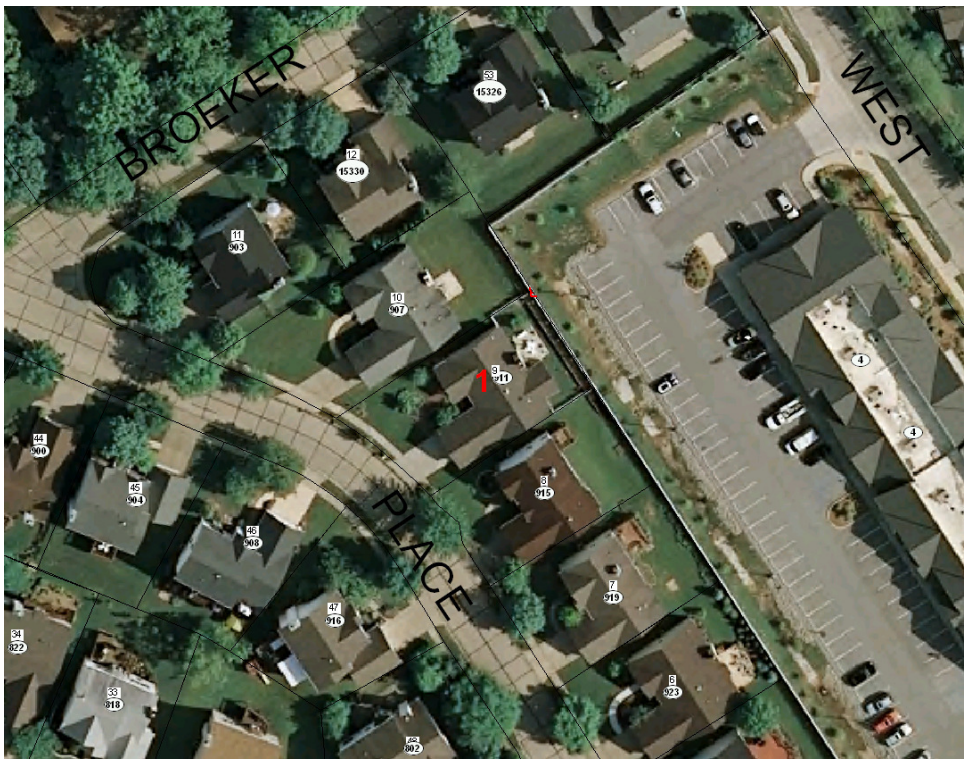
IV. Adjournment

Notice of Public Hearing
City of Chesterfield
Board of Adjustment

NOTICE IS HEREBY GIVEN that the Board of Adjustment of the City of Chesterfield will hold a Public Hearing on Thursday, July 10, 2008, 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. 03-2008 911 Wellesley Place (Jim and Sandy McKeever): A request for variance from City of Chesterfield Ordinance 616 to allow an existing residence located at the referenced address in the Wellesley Place Subdivision to maintain an 11 ft. rear yard setback in lieu of the required 15 ft. rear yard setback. (18S630460)



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

Copies of the request are available for review at the City Government Center 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 telephone at 636-537-4737 or by email at amccaskill@chesterfield.mo.us

City of Chesterfield

Annissa McCaskill-Clay, AICP
Lead Senior Planner

City of Chesterfield

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

May 29, 2008

Board of Adjustment
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017

Re: **B.A. 03-2008 911 Wellesley Place (Jim and Sandy McKeever):** A request for variance from City of Chesterfield Ordinance 616 to allow an existing residence located at the referenced address in the Wellesley Place Subdivision to maintain an 11 ft. rear yard setback in lieu of the required 15 ft. rear yard setback. (18S630460)

Dear Board Members:

Jim and Sandy McKeever, the owners of the above-referenced single family home, have submitted a request to the Board of Adjustment for the above-mentioned variance. In review of the petitioners' request, the Department of Planning submits the following report.

Background of site

1. The McKeever residence is located at 911 Wellesley Place in the Wellesley Place Subdivision.
2. The Wellesley Place Subdivision is zoned "R3/R4/R6" Residence District with a Planned Environment Unit Procedure. Ordinance 616 provides the governing regulations for the established Planned Environment Unit Procedure.
3. A Planned Environmental Unit (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."
4. In the development of Wellesley Place Subdivision, a fifteen (15) foot rear yard setback was established.

5. On April 24, 2008, the City of Chesterfield rejected a municipal zoning approval for a screened porch addition because it extended beyond the established rear yard setback.

Statement of practical difficulties and unnecessary hardships warranting action by the Board:

From Petitioner's Application, page 3: "*We have letter of approval from neighbors on either side and the trustees of the subdivision involving the residential property. The rear of the property adjoins a commercial development with a $3^{1/2}$ ft. high retaining wall and a 6 ft. privacy fence. There won't be any hardships placed on the Commercial Property."*

Unique physical characteristics of the lot (e.g., size, slope, etc.):

From Petitioner's Application, page 2: *"Level"*

Description of the necessity of the proposed improvement

From Petitioner's Application, page 2: "Ability to enjoy the outdoors in the shade free of mosquitoes (sic)."

Basis for appeal:

From Petitioner's Application, pg. 2: *"Desire to build a room addition with the minimum interior depth of 10 ft."*

Approval Criteria

Mr. and Mrs. McKeever are seeking a variance to allow for an 11 ft. rear yard setback in lieu of the 15 ft setback established by City of Chesterfield Ordinance 616:

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;"

Action is requested on B.A. 03-2008 911 Wellesley Place.

Respectfully Submitted,

Annissa G. McCaskill-Clay, AICP
Assistant Director of Planning

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 Applications
   A. Application to Board of Adjustment
   1. Trustee approval form
   B. Rejected Municipal Zoning Approval
6. City of Chesterfield Ordinance 616

05-21-08

City of Chesterfield

DEPARTMENT OF PLANNING

RECEIVED
MAY 21 2008
DEPT. OF PLANNING & PUBLIC WORKS

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.

[ ] 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 03-2008
HEARING DATE June 5, 2008

I. APPLICANT INFORMATION

Owner(s) of record of the hereinafter described property according to St. Louis County Assessor's Record: JAMES E. AND SANDRA S. McKEEVER
Address: 911 WELLESLEY PLACE DRIVE
City: CHESTERFIELD **State:** MO **Zip:** 63017
Tel.: 636-530-9998 **Fax:** –

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: 911 WELLESLEY PLACE DRIVE

Locator Number(s): 18S630460

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

Acreage: .15 (To the nearest tenth of an acre)

Subdivision Name (If applicable): WELLESLEY PLACE

Current Zoning District:

Legal Description of Property: BLK - WELLESLEY PLACE - LOT 9
911 WELLESLEY PLACE DRIVE

(Attach additional sheets as necessary)

III. NATURE OF REQUEST FOR VARIANCE

Unique physical characteristics of the lot (e.g., size, slope, etc.): LEVEL

(Attach additional sheets as necessary)

Description of the necessity of the proposed improvement: ABILITY TO ENJOY THE OUTDOORS IN THE SHADE FREE OF MOSQUITOES.

(Attach additional sheets as necessary)

Ordinance Number and section to which a variance is sought: ORDINANCE # 616 REQUESTING THAT THE REAR YARD SETBACK REQUIREMENT OF 15 FT. BE REDUCED TO 11½ FT. IN ORDER TO ACCOMMODATE THE ADDITION.

(Attach additional sheets as necessary)

Basis for appeal of the above action: DESIRE TO BUILD A ROOM ADDITION WITH THE MINIMUM ~~#~~ INTERIOR DEPTH OF 10 FT.

(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 [✓] No

Specify the action to which the appeal is sought: ASKING FOR REAR YARD SETBACK REQUIREMENT OF 15FT. BE REDUCED TO 11FT. 6IN. IN AN EFFORT TO CREATE A SCREENED PORCH WITH A ~~REE~~ MINIMUM INTERIOR DIMENSION OF 10 FT.

(Attach additional sheets as necessary)

Description of the effect or impact on neighboring properties: NONE - PER THEIR APPROVAL LETTERS.

(Attach additional sheets as necessary)

Statement of any other hardship or information for this appeal: NOTHING ADDITIONAL.

(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:
Rear yard:
Height:

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

Front yard: No encroachment
Side yard: No encroachment
Rear yard: 11'6"
Height: 1 story to blend w/ existing roof.

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

WE HAVE LETTERS OF APRROVAL FROM NEIGHBORS ON EITHER SIDE AND THE TRUSTEES OF THE SUBDIVISION INVOLVING THE RESIDENTIAL PROPERTY. THE REAR OF THE PROPERTY ADJOINS A COMMERCIAL DEVELOPMENT WITH A 3 1/2 FT. HIGH RETAINING WALL AND A 6 FT. PRIVACY FENCE. THERE WON'T BE ANY HARDSHIPS ~~ON~~ PLACED ON THE COMMERCIAL PROPERTY.

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:

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

N.A.

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

N.A.

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: N.A.

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

1. A site plan showing:

N.A.

- 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]

The following page (page 6 of 9 – Liens and Fines Certification) has been left blank per telephone conversation with Annissa Clay (Board of Adjustment) on Tuesday, May 20, 2008 who indicated it would be answered by City of Chesterfield office.

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: _____ **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: [✓] I am the property owner. [ ] I am the contract purchaser.

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

(by Sandra McKeever POA)

JAMES E. McKEEVER
SANDRA S. McKEEVER
(Name- type, stamp or print clearly)

James E. McKeever
Sandra S. McKeever
(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 16 day of MAY, 20 08.

Signed _____ Print Name: PAUL LIVINGSTONE
Notary Public

Seal/Stamp:

PAUL LIVINGSTONE
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Louis County
My Commission Expires: Jan. 21, 2011
07552868

My Commission Expires: 1/21/2011

STAFF / BOA USE ONLY

Intake Date: _____

This petition is granted / denied (circle one) **on the** 5th **day of** June **20** 08

Signed: _____

Chairman

[THIS SPACE INTENTIONALLY LEFT BLANK]

185630460

04-22-08P02:26 RCVD

RECEIVED
MAY 21 2008
DEPT. OF PLANNING & PUBLIC WORKS

City of Chesterfield

DEPARTMENT OF PLANNING AND PUBLIC WORKS

RECEIVED
APR 22 2008
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

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: JIM & SANDY McKEEVER

Project Address: 911 WELLESLEY PLACE

City: CHESTERFIELD **State:** MO **Zip:** 63017

Tenant Name (if different than above):

Owner/Tenant Authorization to Applicant: Fred L Buckley

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

Applicant Name: FRED L BUELER JR / BUELER, INC

Applicant Address: 13314 MANCHESTER Rd

Phone Number: 314-966-3191 **Attn:** FRED @ EXT 22

Name of Subdivision: WELLESLET PLACE, W1, Lot 9

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

Fred L Bueler Jr - SEE ATTACHED

(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:

Fred L Bueler Jr - OWNER HAS LETTER OF APPROVAL

(Signature of owner/applicant required)

Description of Work: SCREEN PORCH ADDITION 12'-6" (FIREPLACE CONSUMES 2') X 17' WIDE.
WILL NEED VARIANCE OF 3'-6" ON REAR YARD SETBACK
ADJACENT PROPERTY BEHIND IS DEVELOPED COMMERCIAL

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

(FOR CITY OF CHESTERFIELD AND ST. LOUIS COUNTY STAFF USE ONLY)

Municipal Zoning Classification: R4 (PEU)

Is this project located within a Flood Plain: **(Check one)** **Yes** ____ **No** X

Status 1: **APPROVED** **REJECTED** (circle one) REJECT Date 4-24-08 Initial M.F.

Approved/Rejected by: M. Fanger **Date:** 4-24-08

Print Name and Title: MAURY FANGER - PLANNING TECH

Comments: PROPOSED SCREEN PORCH ADDITION WOULD ENCROACH INTO 15' REAR YARD SETBACK.

Status 2: **APPROVED** **REJECTED** (circle one)

Approved/Rejected by: _____ **Date:** _____

Print Name and Title: _____

Comments: _____

EXTERIOR FIRE PROTECTION

Approved by: _____ **Date:** _____

Print Name and Title: _____

Fire Protection Provided By: _____

ST. LOUIS COUNTY PERMIT APPLICATION NUMBER: _____

Notes: Questions should be directed to Annissa Blay @ 636-537-4737 (Board of Adjustment) liaison. LM 8:30 4/30 LM 2:40 5/1

Thank you, Kristine

Approval for James and Sandra McKeever to construct an addition of a screened porch to their residence at 911 Wellesley Place, Chesterfield, Missouri:

Approved: Jon Brooks
Jon Brooks
915 Wellesley Place Drive

Approved: Wei Wang
Wei Wang
907 Wellesley Place Drive

Approved: SEE ATTACHED LETTER / 13 APR 08
Chris Brown
Trustee – Wellesley Place

Approved: SEE ATTACHED LETTER
Barbara DeVore
Trustee – Wellesley Place

Approved: SEE ATTACHED LETTER.
Mary Berendsohn
Trustee – Wellesley Place

841 Wellesley Place Drive
Chesterfield, MO 63017

April 13, 2008

Mr. and Mrs. James McKeever
911 Wellesley Place Drive
Chesterfield, MO 63017

Dear Mr. and Mrs. McKeever:

Re: <u>Your request for approval of a screened-in patio</u>

Thank you for providing a plot plan with your verbal request for approval by the Trustees for a screened-in patio at the back of your house. Please be advised that the Board of Trustees grants architectural approval only.

You provided a plot plan and a brief verbal description of "a screened-in porch" but you did not specify the finish materials of construction or color. Presumably, the screen support structure will be finished to match the existing siding and trim. Please advise the Board if this is not the case.

The plot plan shows the patio extends 12'-6" from the foundation of the house and this leaves 11'-6" to the back property line. Please be advised that the City of Chesterfield requires a fifteen (15)-foot rear yard setback in an "R4" (PEU) District. You must request a variance from the City.

It appears that the patio is being extended (sideways) to meet the 1997 addition although this change is not shown on the marked-up plot plan. You told me that the roof of the screened in patio will "match" the existing roof on the addition. The patio is being extended to the rear beyond the 1997 addition but it is not clear whether the slope of the patio roof will match the slope of the roof on the addition. It would be preferable, aesthetically, to have a single roof over both structures. Please advise the Board if this is not the case.

The additional structure will add to run-off from your property. What provisions are being made about drainage? Please contact MSD to confirm that they approve of the change.

Please confirm that you have zoning approval from the City of Chesterfield and a building permit from St. Louis County before proceeding with any of the work.

This letter grants you conditional approval pending confirmation of the finish materials and color(s) and confirmation of the roofline. This letter should be sufficient for you to request zoning approval from the City. Once you have final building plans, please forward a copy to me for the subdivision records and for final architectural approval.

Thank you for your cooperation.

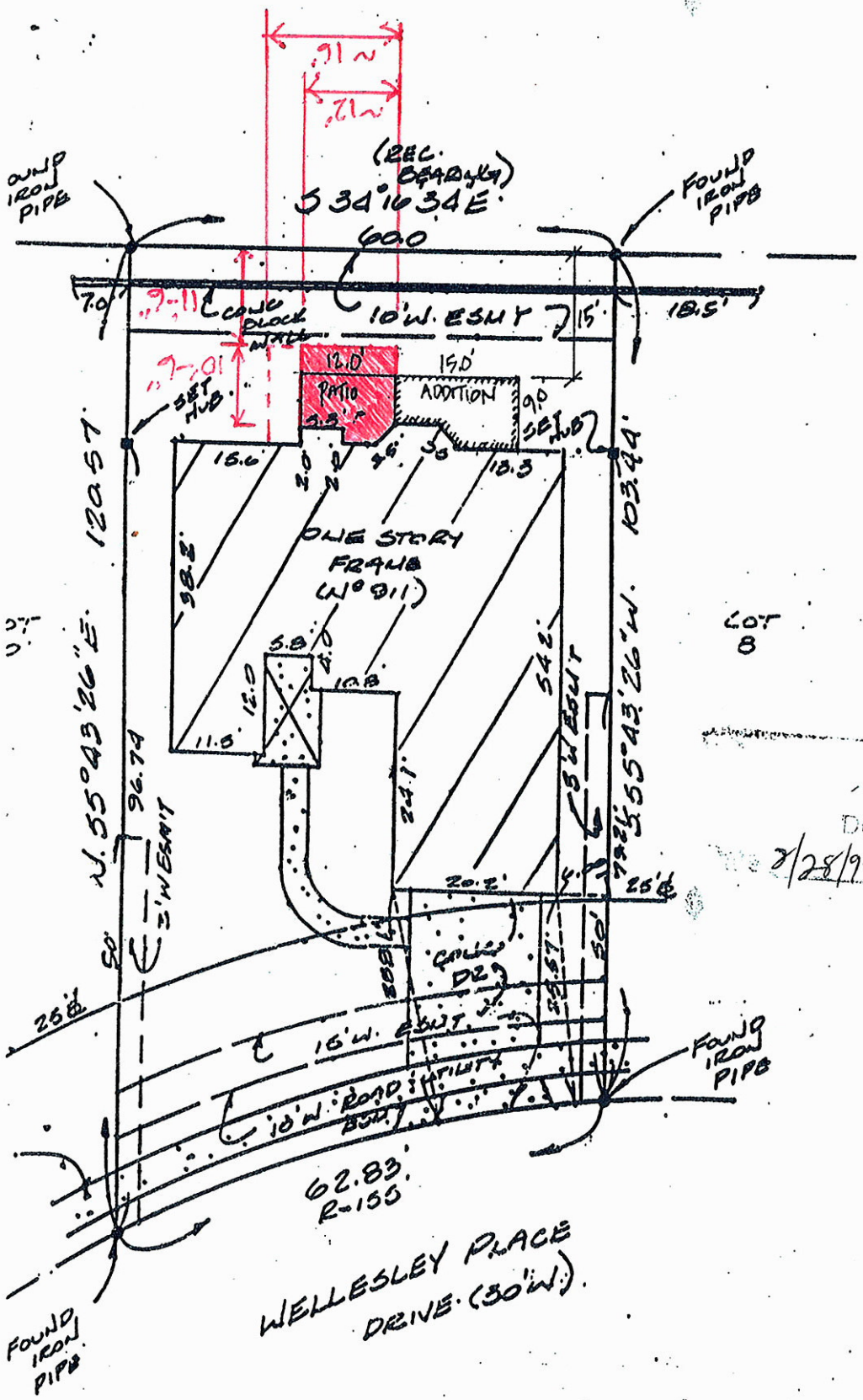
Yours truly,

Chris Brown, Trustee
Wellesley Place Homeowner's Association

c.c. Barbra DeVore - Trustee
Mary Berendsohn - Trustee

REC'D 11-APR-08 CB

1" = 20'-0"
(NORTH ARROW ADOPTED FROM THE RECORD PLAT)



LOT AREA:

6,588 SF

0.1512 ACRES

APPROVED
City of Che...
Department ...
2/28/97 Cheryl M Smith

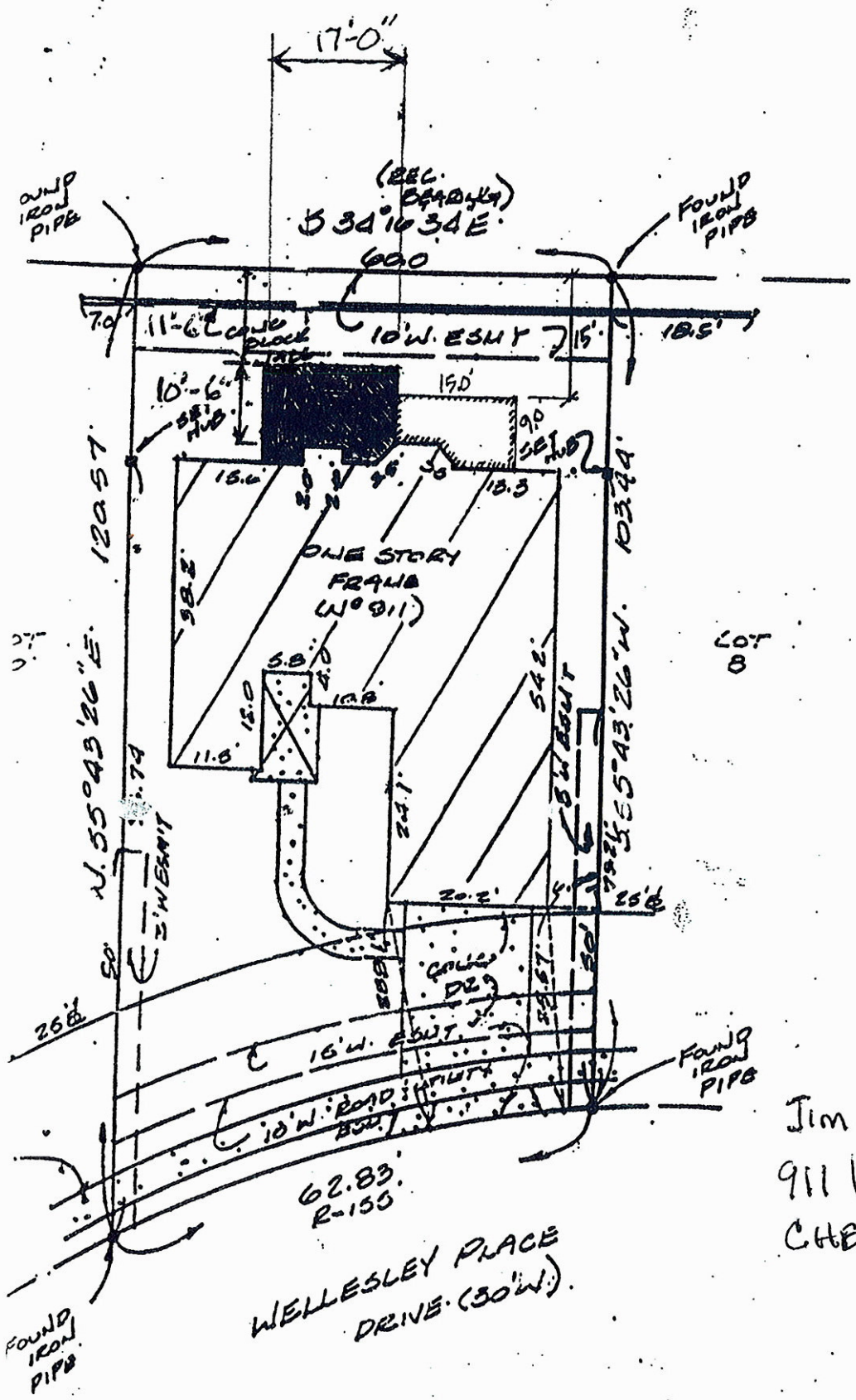
Wellesley Place Trustee

8-18-97

BUELER, INC.

1" = 20'-0"
(NORTH ARROW ADOPTED FROM THE RECORD PLAT)

LOT AREA:
6,588 SF
0.1512 ACRES



RECEIVED
APR 22 2008
DEPT. OF PLANNING & PUBLIC WORKS

Jim & Sandy McKeever
911 Wellesley Place
Chesterfield, MO
63017

BUELER, INC.
KITCHENS • BATHS • ADDITIONS
13314 MANCHESTER ROAD
DES PERES, MO 63131
966-3191

BILL NO. 624 ORDINANCE NO. 616

AN ORDINANCE AMENDING THE CITY OF CHESTERFIELD ZONING ORDINANCE BY CHANGING THE BOUNDARIES OF AN "R-3" 10,000 SQUARE FOOT RESIDENCE DISTRICT AND AN "R-6" 2,000 SQUARE FOOT RESIDENCE DISTRICT TO AN "R-4" 7,500 SQUARE FOOT RESIDENCE DISTRICT AND FOR A PLANNED ENVIRONMENT UNIT (PEU) IN THE "R-4" 7,500 SQUARE FOOT RESIDENCE DISTRICT FOR A 15.77 ACRE TRACT OF LAND LOCATED ON THE WEST SIDE OF OLIVE BOULEVARD SOUTH OF WEST DRIVE (PREMIER HOMES, INC. P.Z. 15 AND 16-91).

WHEREAS, the City of Chesterfield has received a petition from Premier Homes, Inc. requesting the rezoning and a Planned Environment Unit procedure for a 15.77 acre tract of land located on the west side of Olive Boulevard south of West Drive; and

WHEREAS, the Petitioner seeks rezoning and a special procedure to allow for the development of fifty two (52) detached single-family residences on said property; and

WHEREAS, these changes were considered by the Planning Commission of the City of Chesterfield and after consideration of the changes and recommendations of the staff of the City of Chesterfield Department of Planning and Economic Development, the Planning Commission recommends the adoption of the changes as set out in its report to the City Council.

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 the "R-3" 10,000 Square Foot Residence District and "R-6" 2,000 Square Foot Residence District to an "R-4" 7,500 Square Foot Residence District and for a Planned Environment Unit (PEU) procedure thereon in the "R-4" 7,500 Square Foot Residence District a 15.77 acre tract of land located on the west side of Olive Boulevard, south of West Drive, described as follows:

A tract of land being part of Willow Creek Apartments, a subdivision recorded in P.B. 235, Pg. 5 of the St. Louis County Records, being part of Lots 4 and 5 of the subdivision of HUGO ESSEN FARM and U.S. Survey 154 in Township 45 North-Range 4 East, St. Louis County, Missouri, and being more particularly described as:

Commencing at the intersection of the Northeast line of property conveyed to CHESTERFIELD FIRE PROTECTION DISTRICT as described in the deed recorded in Book 6611, Page 585 of the St. Louis Records with the Northwest line of Olive Street Road, as widened, by Dedication Plat

recorded in Plat Book 188, Page 73 of the St. Louis County Records, thence Northwestwardly along the Northeast line of said CHESTERFIELD FIRE PROTECTION DISTRICT Property North 33°14'53" West 10.00 feet to the true point of beginning of the tract herein described; thence continuing along said Northeast line North 33°14'53" West 211.96 feet to a point; thence South 56°19'01" West 180.04 feet to a point; thence North 33°14'34" West 168.82 feet to a point; thence North 68°47'30" West 320.04 feet to a point; thence North 50°23'26" West 280.51 feet to a point; thence North 38°20'35" West 615.26 feet to a point on the South line of property conveyed to MONSANTO COMPANY as described in deed recorded in Book 7211, Page 460 of the St. Louis County Records; thence along the boundary line of said MONSANTO COMPANY the following courses and distances; thence North 66°24'56" East 299.96 feet to a point and South 80°25'10" East 543.80 feet to a point; thence leaving said South line South 68°28'50" West 127.52 feet to a point; thence South 33°04'51" East 49.57 feet to a point; thence South 56°14'50" West 9.70 feet to a point; thence South 33°37'47" - East 349.66 feet to a point; thence North 56°25'03" East 206.80 feet to a point on the West line of a 3 foot wide strip conveyed to BROEKER as described in the deed recorded in Book 4284, Page 64 of the St. Louis County Records; thence along said BROEKER PROPERTY line South 26°10'36" East 127.54 feet to a point and thence South 34°16'34" East 591.03 feet to a point; thence South 44°59'58" West 45.80 feet to a point; thence South 56°18'34" West 215.58 feet to the true point of beginning and containing 15.772 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 set out in the ordinances of the City of Chesterfield and the specific conditions as set out on Attachment "A" which is attached hereto and incorporated as if fully set out herein.

Section 3. The City Council, pursuant to the petition filed by Premier Homes, Inc. in P.Z. 15 and 16-91, 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 July 8, 1991, does hereby adopt this ordinance pursuant to the power granted 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 3. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 16TH day of SEPTEMBER, 1991.

Jack Leonard
MAYOR

ATTEST:

Marda L. DeMay
CITY CLERK

P.Z. 15 & 16-91 Premier Homes
September 16, 1991
PED

ATTACHMENT A

1. PERMITTED USES

This Planned Environment Unit (PEU) authorizes the development of a maximum of fifty-two (52) single-family residences on individual lots, with a minimum lot size of 6,000 square feet. Dwelling units shall contain a minimum of 1,200 square feet of area, exclusive of garages and basements.

2. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

Within eighteen (18) months from the date of approval of the preliminary development plan by the City Council and prior to site preparation, the developer shall submit to the Planning Commission for its review and approval, a Site Development Plan. Where due cause is shown by the developer, this time interval may be extended through appeal to and approval by the Planning Commission in accordance with requirements of Section 1003.187 of the City of Chesterfield Zoning Ordinance.

3. GENERAL CRITERIA

The Site Development Plan shall include the following:

a. Outboundary plat and legal description of the property.

b. A general development plan, indicating the basic location, size and arrangement of lots and roadways on and adjacent to the property, setback lines and, if appropriate, a typical lot and minimum and maximum lot size.

c. The location and size of all freestanding signs, lighting, fences, sidewalks and other above ground structures except retaining walls.

d. Existing and proposed contours at vertical intervals of not more than two (2) feet.

e. A preliminary plan for storm and sanitary sewer facilities.

f. Density calculations.

g. A landscape plan including, but not limited to, the location, size and general type of all plant materials to be used.

h. All other preliminary plat requirements.

4. SITE DEVELOPMENT PLAN DESIGN CRITERIA

The above Site Development Plan shall adhere to the following specific design criteria:

Building and Structure Setbacks

a. Front yard: Minimum setback shall be twenty-five (25) feet from road right-of-way.

b. Side yard: Minimum of ten (10) feet between residences.

c. Rear yard: Minimum setback shall be fifteen (15) feet.

Parking Requirements

d. Minimum parking requirements shall be as required by Section 1003.165 of the City of Chesterfield Zoning Ordinance.

Access and Roadway Improvements, Including Sidewalks

e. Internal streets shall consist of a maximum of twenty-six (26) feet of pavement within a thirty (30) foot right-of-way. Streets are to be constructed to City of Chesterfield specifications. Streets are to be private and remain private forever.

f. Access from Olive Boulevard shall be as approved by the Missouri Highway and Transportation Department and the City of Chesterfield. Access to Olive Boulevard shall be revised to right-in and right-out only at such time as West Drive is relocated in conjunction with development approved via P.C. 9-89 Sullivan-Hayes.

g. Provide a sidewalk for access to and adjacent to Olive Boulevard as directed by the City of Chesterfield.

h. Provide alternate emergency access as required and approved by the City of Chesterfield.

i. Installation of Landscaping and Ornamental Entrance Monument construction shall be reviewed by the City of Chesterfield for sight distance considerations, and approved prior to installation or construction.

j. The developer is advised that utility companies will require compensation for relocation of their utility facilities within public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contribution. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.

k. Provide street stub adjacent to properties in the northeasternmost portion of the site, as directed by the Department of Public Works and the Department of Planning/Economic Development.

Landscape Requirements

l. All new deciduous trees shall be a minimum of two and one-half (2 1/2) inches in caliper. All new evergreen trees shall be a minimum of four (4) feet in height, and all shrubs shall have a minimum diameter of eighteen (18) inches.

m. Retention of existing tree masses and individual trees shall be provided for. Trees to be retained and all proposed landscaping shall be depicted on the site development plan. Prior to the preparation of the site for development and the approval of a site development plan, a landscape plan depicting all existing trees of at least three (3) inch caliper and those to be retained shall be submitted to the Planning Commission for review and approval.

n. All landscape improvements shall be escrowed along with standard subdivision improvements.

Miscellaneous Conditions

o. Except for required street lighting, no source of illumination shall be so situated that light is cast on any public right-of-way or adjoining property. Lighting shall be required in compliance with the City of Chesterfield Subdivision Ordinance.

p. Required street lighting and sidewalks within the development, including any sidewalk to be constructed along Olive Boulevard as part of this development, shall be depicted on the site development plan, and escrows shall be established for these improvements, as necessary.

q. Any signs shall be erected in accordance with the "R-4" Residence District.

r. Exterior trash areas in common ground, if any, shall be surrounded by a six (6) foot high sight-proof fence.

s. Architectural elevations, building materials, and colors of proposed new single-family residences shall be reviewed and approved by the Planning Commission, with the Site Development Plan.

t. Sidewalks shall be provided on both sides of internal private streets.

5. **VERIFICATIONS PRIOR TO APPROVAL**

Prior to approval of the Site Development Plan, the developer shall provide the following:

Stormwater

a. Submit to the Planning Commission a preliminary engineering plan approved by the Department of Public Works showing that adequate handling of the stormwater drainage of the site is provided.

1. The developer is required to provide adequate stormwater systems in accordance with City of Chesterfield standards.

2. All stormwater shall be discharged at an adequate natural discharge point.

3. Detention of differential runoff of stormwater is required by providing permanent detention facilities, such as dry reservoirs, ponds or another acceptable alternative. The detention facilities shall be completed and in operation per the Department of Public Works. If development is to be phased, detention facilities shall be constructed in areas, as required and approved by the City of Chesterfield, prior to the issuance of permits, excluding permits for display units.

Roadway Improvements and Curb Cuts

b. Provide verification of approval by the Missouri Highway and Transportation Department of the location of proposed curb cut on Olive Boulevard.

Geotechnical Report

c. Provide a geotechnical report, as required by the Department of Public Works, to be prepared by a professional engineer licensed in the State of Missouri. Said report shall verify the adaptability of grading and proposed improvements with soil and geologic conditions. A statement of compliance, signed by the Geotechnical Engineer preparing the report, shall be included on all Site Development Plans.

Sanitary Sewers

d. Provide verification of approval by M.S.D. for adequate handling of sanitary sewage.

6. **RECORDING**

Within sixty (60) days of approval of the Site Development Plan by the Planning Commission, the approved plan shall be recorded with the St. Louis County Recorder of Deeds.

7. VERIFICATION PRIOR TO BUILDING PERMITS

Subsequent to approval of the Site Development Plan and prior to the issuance of any building permit, other than in accord with an approved Display Plat, the following requirements shall be met:

Development Phasing

a. The developer shall furnish a bond or place into escrow the monies necessary to insure the construction of improvements and landscaping as necessary. If development phasing is anticipated, the developer shall provide the necessary funds, as above, for each plat or phase of development.

Notification of Department of Planning/Economic Development

b. Prior to the issuance of foundation or building permits, all approvals from the St. Louis County Department of Highways and Traffic, St. Louis County Metropolitan St. Louis Sewer District, and the City Department of Public

Works, and Missouri Highway and Transportation Department must be received by the Department of Planning/Economic Development.

Certification of Plans

c. Provide verification that construction plans are designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer shall be required to sign and seal all plans with a certification that the proposed construction will be completed in accordance with the grading and soil requirements and conditions contained in the report.

Trust Fund

d. The developer shall contribute to the Chesterfield Village Traffic Generation Assessment Trust Fund. This contribution shall not exceed an amount established by multiplying the ordinance required parking spaces by the following rate schedule:

Type of Development	Required Contribution
Single-Family Space	$ 529.43/Parking Space

(Parking space as required by Section 1003.165 of the City of Chesterfield Zoning Ordinance.)

If types of development proposed differ from those listed, rates shall be provided by the St. Louis County Department of Highways and Traffic.

Credit for previous contributions to the Chesterfield Village Traffic Generation Assessment Trust Fund will be deducted from the above required contribution upon proof of ownership by Premier Homes, Inc.

As the development is located within a trust fund area established by St. Louis County any portion of the traffic generation assessment contribution which remains, following completion of road improvements required by the development shall remain in the appropriate trust fund.

The amount of this required contribution, if not submitted by January 1, 1992, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accord with the construction cost index as determined by the St. Louis County Department of Highways and Traffic.

Miscellaneous

e. The developer shall make provision with the Trust Indenture for and upon all dedication, plats, and deeds that streets within the development are private and to remain private forever.

8. **GENERAL DEVELOPMENT CONDITIONS**

a. Within two (2) years of the date of approval of the Site Development Plan by the Planning Commission, construction shall commence. Said time may be extended one (1) additional year on approval by the Planning Commission.

b. A grading permit is required prior to any grading on the site. No change in watersheds shall be permitted. Interim stormwater drainage control in the form of siltation control measures is required.

c. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual such as rye grasses or sudan grasses shall be utilized to retard erosion, if adequate stormwater detention and erosion control have not been provided.

d. Additional lanes and/or widening, pavement thickness, drainage facilities, granular base, traffic control devices and other improvements may be required to accommodate heavy traffic volumes, unsuitable soil conditions, steep grades, or other conditions not apparent at this time.

e. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas should be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

f. A copy of the most recently approved Site Development Plan for this PEU development shall at all times be prominently displayed in all display area sales offices within this development.

g. Roadways are to be private, these roadways shall remain private forever. Maintenance of private roadways shall be the responsibility of the property owner(s) or trustees forever. The existence of private roadways within the development require disclosure by the developer of responsibility for street maintenance in accord with the provision of Section 1003.265 of the City of Chesterfield Subdivision Ordinance.

h. Maintenance of subdivision streets, including, but not limited to, snow removal, shall be the responsibility of the developer, until such time as the streets are accepted for maintenance by the trustees.

i. Failure to comply with any or all of the conditions of this ordinance shall be adequate cause for revocation of permits by issuing City Departments or Commissions.

j. The Zoning Enforcement Officer of the City of Chesterfield, Missouri, shall enforce the conditions of this ordinance in accord with Site Development Plans approved by the Planning Commission and the Department of Planning/Economic Development.

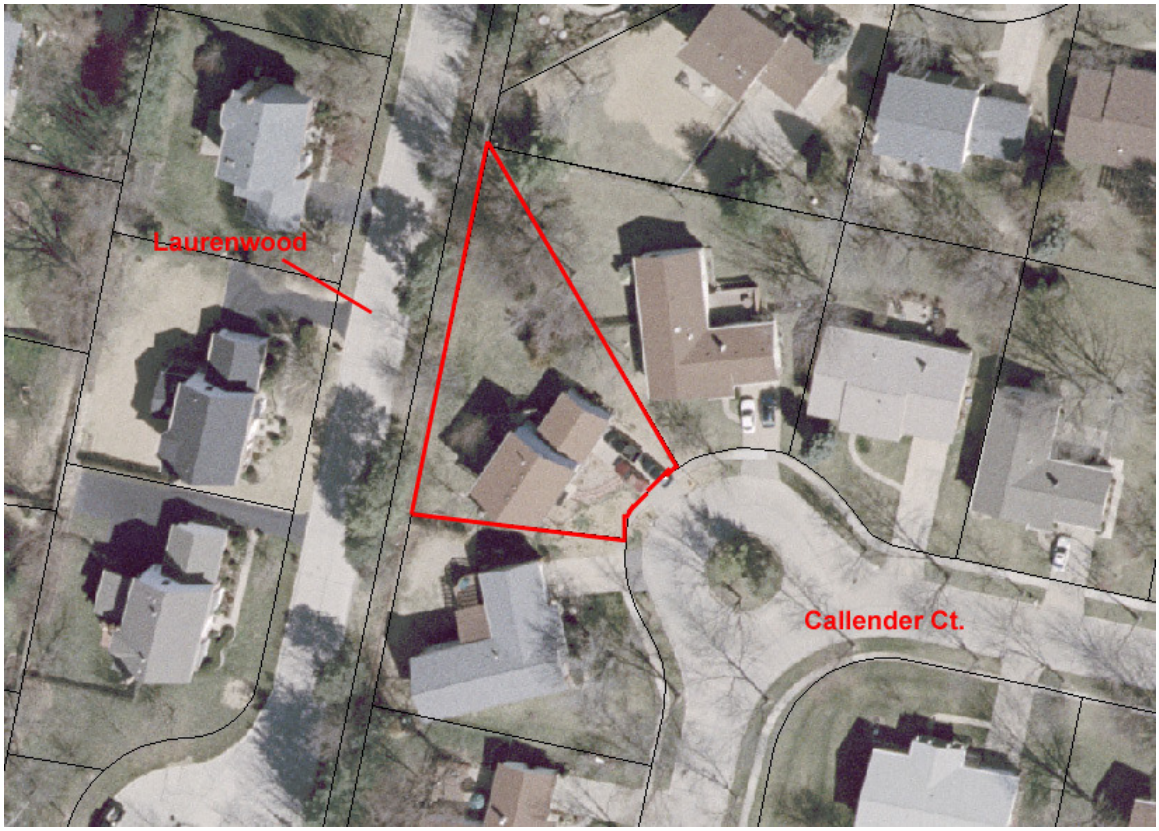
Notice of Public Hearing
City of Chesterfield
Board of Adjustment

III.B

NOTICE IS HEREBY GIVEN that the Board of Adjustment of the City of Chesterfield will hold a Public Hearing on Thursday, July 10, 2008 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. 04-2008 2309 Callender Ct. (Erma Simmons): A request for variance from City of Chesterfield Zoning Ordinance Section 1003.113(3)(a) to allow an existing residence located at the referenced address in the Kehrs Mill Farm Subdivision to maintain a 22 ft. front yard setback in lieu of the required 25 ft. front yard setback. (21T610199)



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

Copies of the request are available for review at the City Government Center 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 telephone at 636-537-4737 or by email at amccaskill@chesterfield.mo.us

City of Chesterfield

Annissa McCaskill-Clay, AICP
Lead Senior Planner

City of Chesterfield

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

July 1, 2008

Board of Adjustment
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017

Re: **B.A. 04-2008 2309 Callender Ct. (Erma Simmons):** A request for variance from City of Chesterfield Zoning Ordinance Section 1003.113(3)(a) to allow an existing residence located at the referenced address in the Kehrs Mill Farm Subdivision to maintain a 22 ft. front yard setback in lieu of the required 25 ft. front yard setback. (21T610199)

Dear Board Members:

Erma Simmons, the owner of the above-referenced single family home, has submitted a request to the Board of Adjustment for the above-mentioned variance. In review of the petitioners' request, the Department of Planning submits the following report.

Background of site

1. The Simmons residence is located at 2309 Callender Court in the Kehr Mills Farm Subdivision.
2. The Kehrs Mill Farm Subdivision is zoned "R2/R3" Residence District with a Planned Environment Unit Procedure. Ordinance 6157 provides the governing regulations for the established Planned Environment Unit Procedure.
3. A Planned Environmental Unit (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."
4. In the development of Kehrs Mill Farm Subdivision, the minimum yard requirements as set forth for "R2" and "R3" Residence Districts were established.

5. The subject property was established using the "R2" criteria and has a 25 ft. front yard setback. Said criteria are setforth in City of Chesterfield Zoning Ordinance Section 1003.113(3).
6. On May 29, 2008, the City of Chesterfield rejected an application for municipal zoning approval for a new front porch and roof overhang because they extended beyond the established front yard setback.

Unique physical characteristics of the lot (e.g., size, slope, etc.):

From Petitioner's Application, page 2: *"Irregular, pie shaped lot."*

Description of the necessity of the proposed improvement

From Petitioner's Application, page 2: *"To protect the front yard of the house and porch/sidewalks from the elements. To improve the curb appeal of the home."*

Basis for appeal:

From Petitioner's Application, pg. 2: *"Only encroaching on front setback by a couple of feet. The irregular lot causes a portion of the total proposed porch project to encroach- if the lot weren't irregular shape, the project would not encroach."*

Statement of practical difficulties and unnecessary hardships warranting action by the Board:

Staff notes that none has been provided.

Approval Criteria

Ms. Erma Simmons is seeking a variance to allow for 22 ft. front yard setback in lieu of the 25 ft. front yard setback established by Section 1003.113(3)(a) of the City of Chesterfield Zoning Ordinance:

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;"

Action is requested on B.A. 04-2008 2309 Callender Ct.

Respectfully Submitted,

Annissa G. McCaskill-Clay, AICP
Assistant Director of Planning

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 Applications
   A. Application to Board of Adjustment
   B. Rejected Municipal Zoning Approval
6. City of Chesterfield Zoning Ordinance Section 1003.113(3)(a)

21T610497

Rejected

City of Chesterfield

DEPARTMENT OF PLANNING AND PUBLIC WORKS

RECEIVED MAY 21 2008 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

05-21-08A10:26 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

5-30-08 per Derrick

Property Owner: ERMA SIMMONS

Project Address: 2309 ~~2903~~ CALLENDER CT.

City: CHESTERFIELD **State:** MO **Zip:** 63017

Tenant Name (if different than above):

Owner/Tenant Authorization to Applicant: DAVE WILLIAMS

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

Applicant Name: CHESTERFIELD FENCE & DECK

Applicant Address: 18614 OLIVE STREET ROAD

Phone Number: 636 532 4054 **Attn:** DAVE WILLIAMS

Name of Subdivision: KEHRS MILL FARM PLAT ONE, W4, LOT 25

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: NEW FRONT PORCH & ROOF OVERHEAD PORCH

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

25, 10*, 15

(FOR CITY OF CHESTERFIELD AND ST. LOUIS COUNTY STAFF USE ONLY)

Municipal Zoning Classification: [illegible]

Is this project located within a Flood Plain: (Check one) Yes ___ No X

Status 1: APPROVED REJECTED (circle one)

Approved/Rejected by: [illegible] Date: [illegible]

Print Name and Title: [illegible]

Comments: [illegible]

Status 2: APPROVED REJECTED (circle one)

Approved/Rejected by: _____ Date: _____

Print Name and Title: _____

Comments: _____

EXTERIOR FIRE PROTECTION

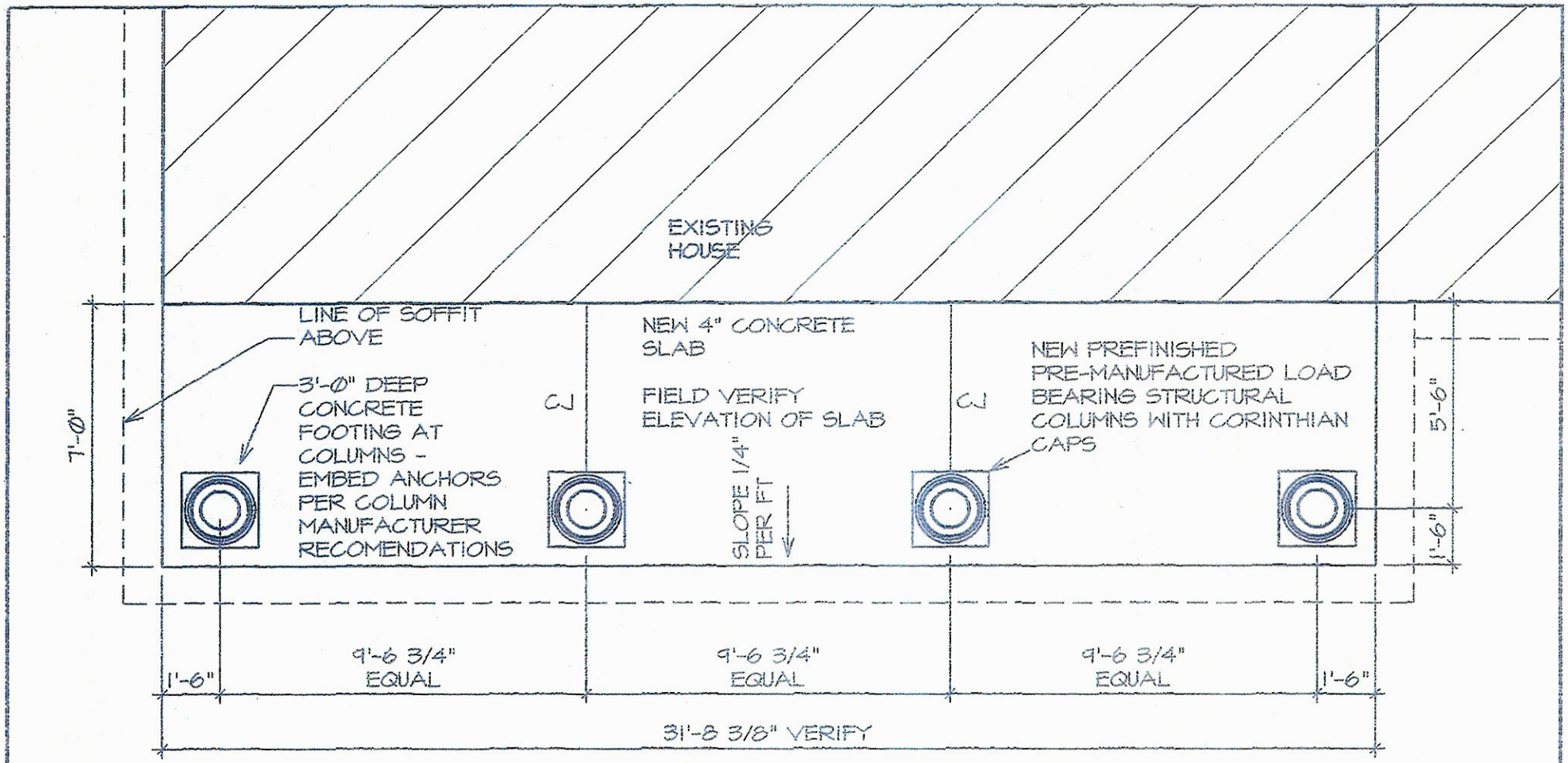
Approved by: _____ Date: _____

Print Name and Title: _____

Fire Protection Provided By: _____

ST. LOUIS COUNTY PERMIT APPLICATION NUMBER: _____

Notes: _____



1 / A1 PORCH PLAN
SCALE: 1/4"= 1'-0"

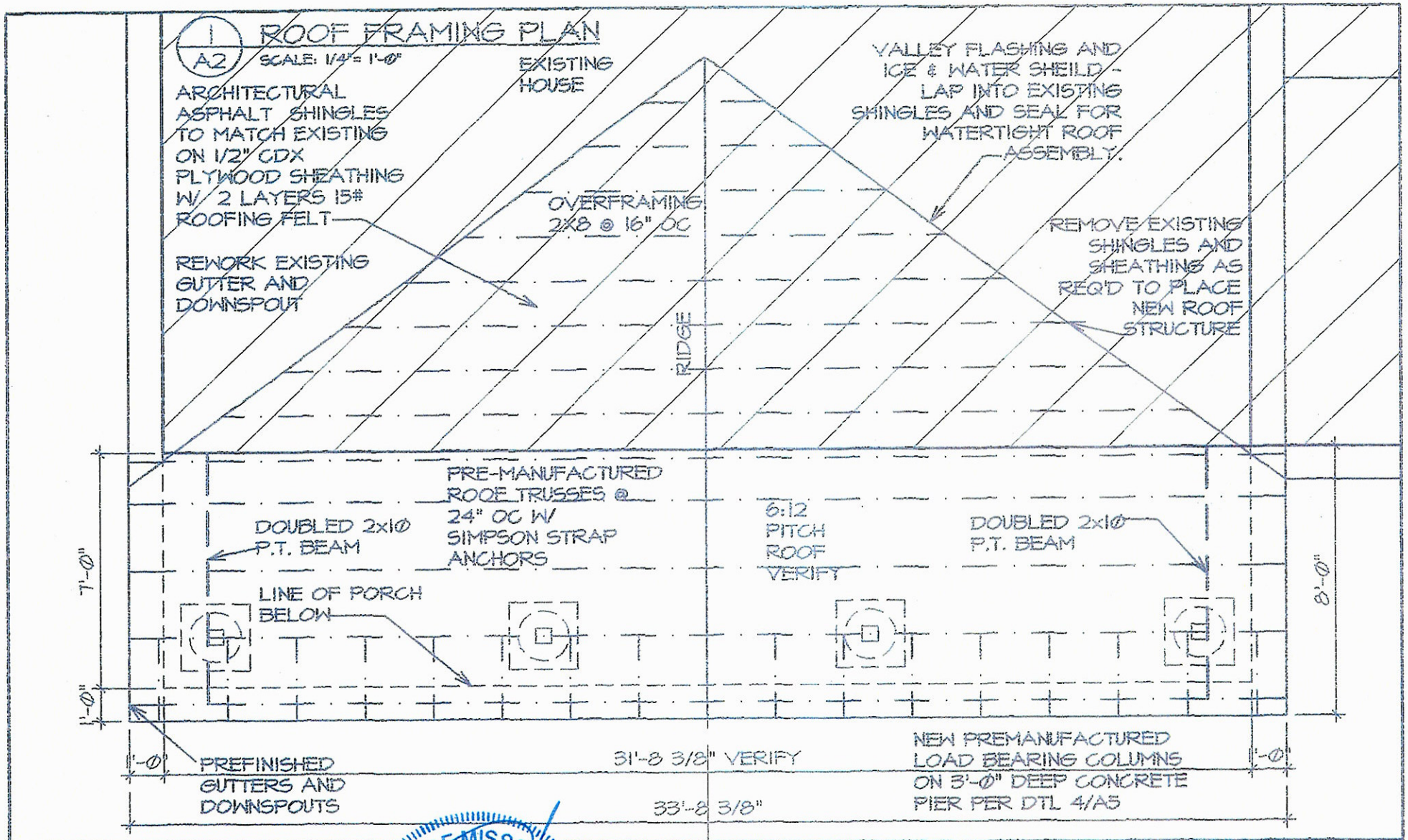
ARCHITECT:
LAUER ARCHITECTURE
PROGRESSIVE DESIGN
DEREK R. LAUER, A.I.A.
1553 Meadowside Drive
St. Louis, MO 63146
314.994.3926 ph / fax
www.LauerArchitecture.com

STATE OF MISSOURI
DEREK R. LAUER
NUMBER
REGISTERED ARCHITECT
5/8/8

CONTRACTOR:
CHESTERFIELD FENCE & DECK COMPANY, INC.
18614 Olive Street Road
Chesterfield, MO 63005
636.532.4054
636.532.8011 (Fax)

OWNER:
Erma Simmons
2309 Callender Court
Chesterfield, MO 63017
636.230.7057

DATE	05.07.08
PROJ. NO.	CFD #12602
SHEET TITLE	DECK PLAN
SHEET NUMBER	A-1



ARCHITECT:
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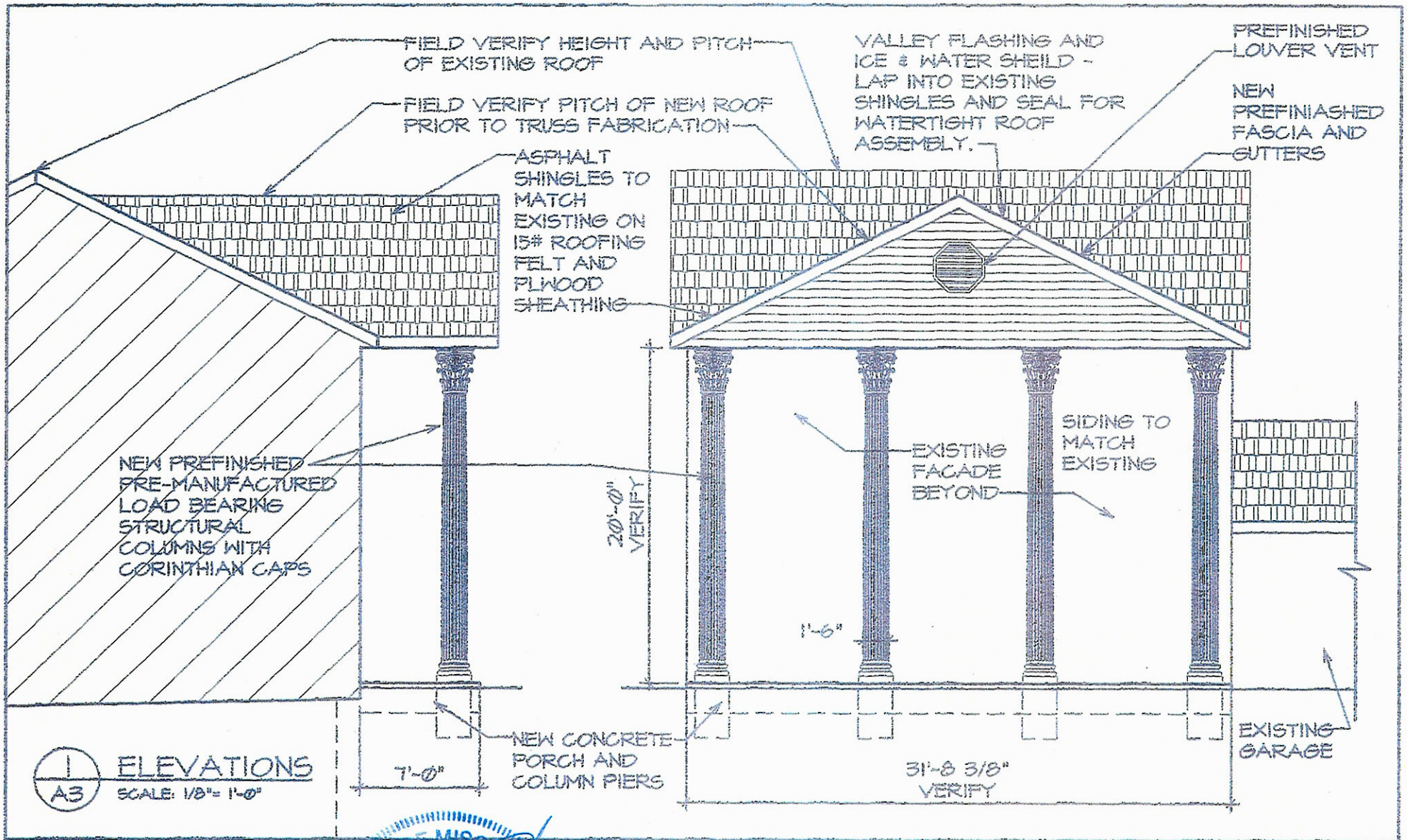
1553 Meadowside Drive
St. Louis, MO 63146
314.994.3926 ph / fax
www.LauerArchitecture.com

STATE OF MISSOURI
DEREK R. LAUER
NUMBER A-2135652
REGISTERED ARCHITECT

CONTRACTOR:
CHESTERFIELD FENCE & DECK COMPANY, INC.
18614 Olive Street Road
Chesterfield, MO 63005
636.532.4054
636.532.8011 (Fax)

OWNER:
Erma Simmons
2309 Callender Court
Chesterfield, MO 63017
636.230.7057

DATE	05.01.08
PROJ. NO.	CFD #12602
SHEET TITLE	ROOF FRAMING PLAN
SHEET NUMBER	A-2



1 / A3 ELEVATIONS
SCALE: 1/8"= 1'-0"

ARCHITECT:
LAUER ARCHITECTURE
PROGRESSIVE DESIGN
DEREK R. LAUER, A.I.A.
1553 Meadowside Drive
St. Louis, MO 63146
314.994.3926 ph / fax
www.LauerArchitecture.com

STATE OF MISSOURI
DEREK R. LAUER
NUMBER A-9135652
REGISTERED ARCHITECT

CONTRACTOR:
CHESTERFIELD FENCE & DECK COMPANY, INC.
18614 Olive Street Road
Chesterfield, MO 63005
636.532.4054
636.532.8011 (Fax)

OWNER:
Erma Simmons
2309 Callender Court
Chesterfield, MO 63017
636.230.7057

DATE	05.07.08
PROJ. NO.	CPD #12602
SHEET TITLE	ELEVATIONS
SHEET NUMBER	A-3

GENERAL NOTES:

1. PROVIDE AND INSTALL A 7'x30' ROOF OVER NEW 4" CONCRETE PORCH AT THE FRONT OF AN EXISTING RESIDENCE

2. ROOF TO BE PREMANUFACTURED WOOD TRUSSES WITH PLYWOOD SHEATHING AND ASPHALT SHINGLES TO MATCH EXISTING HOME.

3. PREFINISHED FASCIA GUTTER AND DOWNSPOUTS TO GRADE. CEILING TO BE PREFINISHED VINYL PERFORATED SOFFIT.

4. PROVIDE AND INSTALL FOUR NEW ROUND FLUTED PREFABRICATED COLUMNS WITH CORINTHIAN CAPS AT TOP.

(CONTINUED FROM GENERAL NOTES ON A-6)

22. ROOF STRUCTURE TO BE PRE-MANUFACTURED ROOF TRUSSES @ 24" O.C. ROOF SHEATHING TO BE 1/2" EXTERIOR GRADE CDX PLYWOOD WITH 15# ASPHALTIC ROOFING FELT. NAILING SHALL BE 6d COMMON @ 6" O.C. ALONG EDGES & 12" O.C. INTERMEDIATE.

23. COROISION RESISTANT FLASHING IS REQUIRED AT ALL ROOF INTERSECTIONS AND VERTICAL SURFACE INTERSECTIONS. COMPLY WITH SMACNA APPROVED DETAILS.

24. UNDERLAYMENT SHALL BE INSTALLED TO EXTEND A MINIMUM OF 18" BEYOND A ROOF VALLEY OR HIP FROM EITHER DIRECTION

25. PROVIDE LUMBER OF 19 PERCENT MAXIMUM MOISTURE CONTENT (S-DRY KD-19) AND OF FOLLOWING SPECIES AND GRADE: SOUTHERN PINE "NO. 3 COMMON" WCLIB OR WWPA RULES. PROVIDE DRESSED LUMBER, S4S, UNLESS OTHERWISE INDICATED.

STATE OF MISSOURI
DEREK R. LAUER
NUMBER
A-1999135652
REGISTERED ARCHITECT

ARCHITECT:
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CONTRACTOR:
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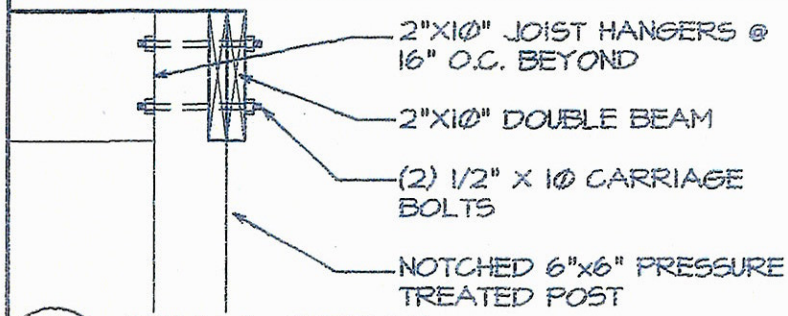
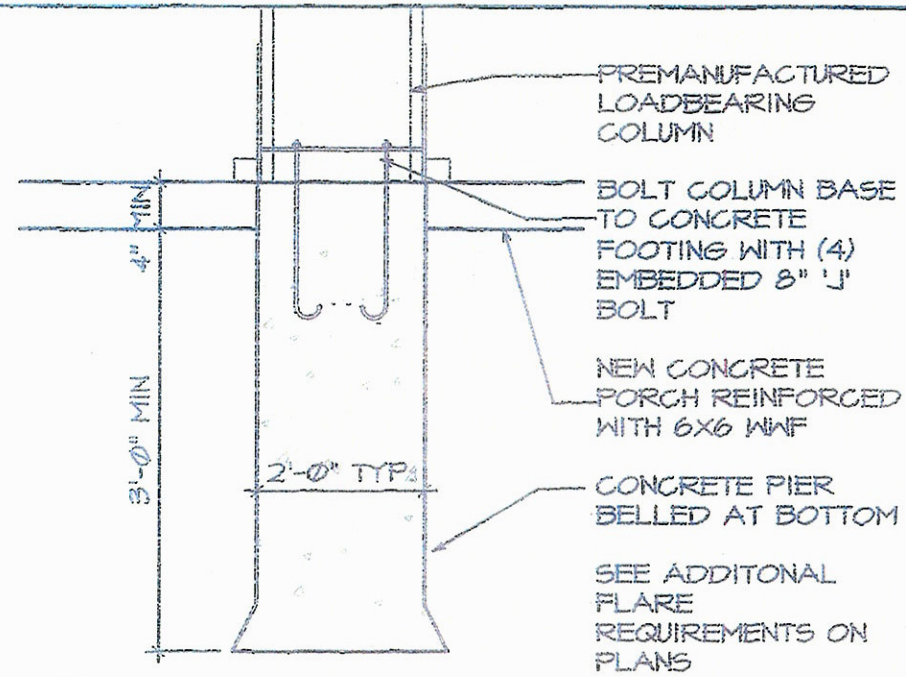
18614 Olive Street Road
Chesterfield, MO 63005
636.532.4054
636.532.8011 (Fax)

OWNER:
Erma Simmons
2309 Callender Court
Chesterfield, MO 63017
636.230.7057

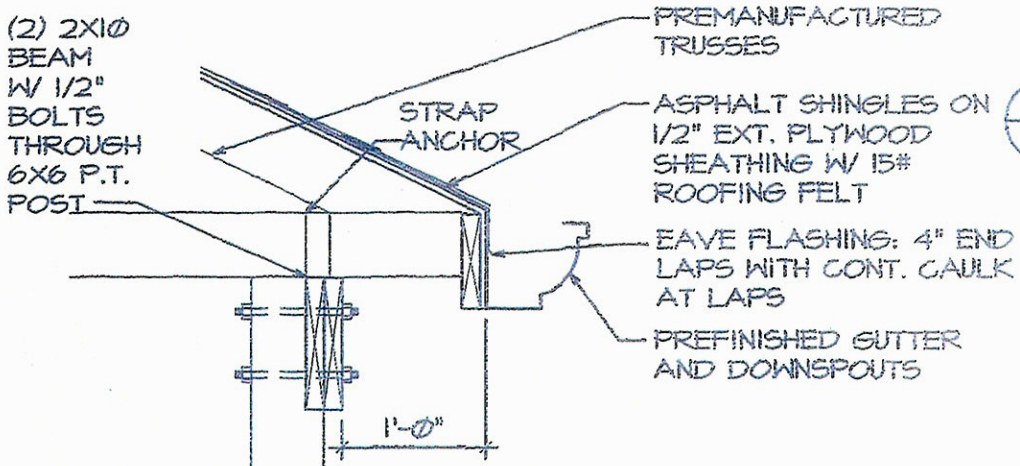
DATE	05.07.08
PROJ. NO.	CFD #12602
SHEET TITLE	GENERAL NOTES
SHEET NUMBER	A-4



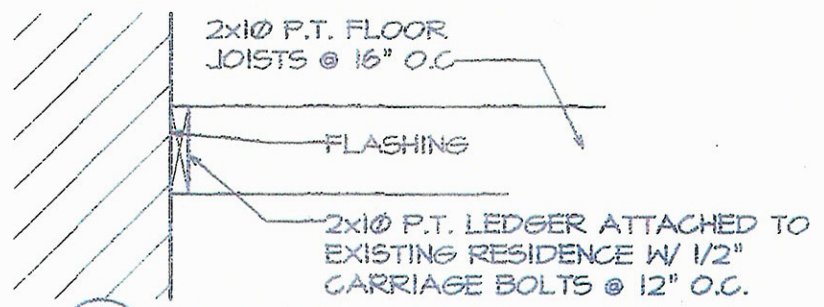
1 / A5 BEAM DETAIL
SCALE: 3/4"= 1'-0"



4 / A5 CONCRETE PIER DETAIL
SCALE: 3/4"= 1'-0"



2 / A5 EAVE DETAIL
SCALE: 3/4"= 1'-0"



3 / A5 LEDGER DETAIL
SCALE: 3/4"= 1'-0"

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STATE OF MISSOURI
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REGISTERED ARCHITECT

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Chesterfield, MO 63017
636.230.7057

DATE	05.07.08
PROJ. NO.	CFD #12602
SHEET TITLE	FRAMING DETAILS
SHEET NUMBER	A-5

1. ANY REFERENCE TO "OWNER" REFERS TO THE HOME OWNER. ARCHITECT REFERS TO LAUER ARCHITECTURE "CONTRACTOR" REFERS TO: CHESTERFIELD FENCE AND DECK CO. AND ANY SUBCONTRACTOR OR SUPPLIER HIRED BY THE G. C.

2. ALL APPLICABLE LOCAL BUILDING CODES AND REGULATIONS GOVERNING THE SCOPE OF THE WORK SHALL BE VERIFIED AND ADHERED TO BY THE CONTRACTOR. THESE PLANS WERE PREPARED TO COMPLY WITH THE 2006 IRC

3. APPLICABLE STANDARDS OF THE CONSTRUCTION INDUSTRY SHALL HAVE THE SAME FORCE AND EFFECT ON THE PERFORMANCE OF THE WORK AS IF COPIED DIRECTLY INTO THE CONTRACT DOCUMENTS, OR BOUND AND PUBLISHED THEREWITH.COMPLY WITH THE STANDARDS IN EFFECT AS OF THE DATE OF THE CONTRACT DOCUMENTS, UNLESS OTHERWISE INDICATED.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFICATION OF ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS FOR CONSISTENCY AND SHALL CONFIRM THAT THE WORK IS BUILDABLE AS SHOWN IN THE CONSTRUCTION DOCUMENTS. DISCREPANCIES CONTAINED WITHIN THESE DOCUMENTS SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE ARCHITECT, FOR THE ARCHITECT'S RESOLUTION WITH THE GENERAL CONTRACTOR,

5. UNDER NO CIRCUMSTANCES SHALL ANY MEASUREMENT BE SCALED FROM THE DRAWINGS. ANY MEASUREMENTS NOT GIVEN AN ACTUAL NUMBER DIMENSION SHOULD BE BROUGHT TO THE ARCHITECT'S ATTENTION BEFORE PROCEEDING.

6. CONTRACTORS SHALL EXAMINE ALL EXISTING ITEMS TO BE REUSED OR SUPPLIED BY THE OWNER OR OTHERS PRIOR TO TAKING POSSESSION AND ADVISE "SUPPLIER" IN WRITING OF ANY DAMAGE. ONCE THE CONTRACTOR HAS TAKEN POSSESSION OF THE PRODUCT OR MATERIALS, ANY DAMAGE NOT REPORTED WITHIN 48 HOURS, SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO REPAIR OR REPLACE TO FULLY OPERATIONAL CONDITION

7. DURING THE PERFORMANCE OF THE WORK, THE SUBCONTRACTOR IS RESPONSIBLE FOR THE PROVISION OF WARNING SIGNS, WARNING TAPE, GUARD LIGHTS, BARRICADES, GUARD RAILS, FENCES, AND OTHER DEVICES AS APPROPRIATELY LOCATED ON AND AROUND THE JOB SITE SO AS TO GIVE PROPER AND UNDERSTANDABLE WARNING TO ALL PERSONS WITH REGARD TO HAZARDOUS CONDITIONS, EQUIPMENT, AND OPERATIONS BEING PERFORMED IN CONJUNCTION WITH THE CONTRACTOR'S WORK. THE CONTRACTOR SHALL COMPLY WITH ALL OSHA REQUIREMENTS.

8. THE CONTRACTOR SHALL REMOVE ANY NON-CONFORMING, NON-APPROVED, NON-SPECIFIED PRODUCT AND INSTALL ACCEPTABLE PRODUCTS AT THE SOLE DISCRESSION OF THE ARCHITECT

9. SUBCONTRACTORS SHALL BE RESPONSIBLE FOR ANY DAMAGE OR THEFT OCCURING TO THE HOUSE BEFORE, DURING OR AFTER CONSTRUCTION PROCEDURES, CAUSED BY THE SUBCONTRACTOR OR HIS EMPLOYEES.

10. SUBCONTRACTORS SHALL NOTIFY THE OWNER OF ANY ACCESS REQUIRED FOR PERFORMANCE OF WORK IN OTHER OCCURED SPACES AT LEAST 24 HOURS PRIOR TO THE REQUIRED ACCESS. THE OWNER WILL IDENTIFY ACCEPTABLE ACCESS TIMES.

11. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS, APPROVALS, INSPECTIONS, ETC, AS MAY BE REQUIRED BY STATE, FEDERAL AND LOCAL AUTHORITIES. THE CONTRACTOR SHALL INCLUDE ALL COSTS ASSOCIATED WITH PERMITS AND APPROVALS IN HIS BID PRICE.

12. REMOVE DEBRIS, RUBBISH AND OTHER MATERIALS RESULTING FROM DEMOLITION OPERATIONS FROM BUILDING SITE. TRANSPORT AND LEGALLY DISPOSE OF MATERIALS OFF SITE. IF HAZARDOUS MATERIALS ARE ENCOUNTERED DURING DEMOLITION OPERATIONS, COMPLY WITH APPLICABLE REGULATIONS, LAWS AND ORDINANCES CONCERNING REMOVAL, HANDLING AND PROTECTION AGAINST EXPOSURE OR ENVIRONMENTAL POLLUTION. BURNING OF REMOVED MATERIALS IS NOT PERMITTED ON PROJECT SITE.

13. UPON COMPLETION OF WORK, REMOVE TOOLS, EQUIPMENT, AND DEMOLISHED MATERIALS FROM SITE. REMOVE PROTECTIONS AND LEAVE INTERIOR AREAS BROOM CLEAN.

14. IF UNANTICIPATED MECHANICAL, ELECTRICAL OR STRUCTURAL ELEMENTS WHICH CONFLICT WITH INTENDED FUNCTION OR DESIGN ARE ENCOUNTERED, INVESTIGATE AND MEASURE BOTH NATURE AND EXTENT OF THE CONFLICT AND NOTIFY ARCHITECT

15. EACH SUBCONTRACTOR SHALL BE RESPONSIBLE FOR ANY CUTTING REQUIRED FOR PIPES, CONDUIT, OR DUCTS. IF SLEEVES OR OPENINGS ARE NOT PROPERLY PROVIDED, UNDER NO CIRCUMSTANCES SHALL ANY STRUCTURAL MEMBERS OF LOAD BEARING WALLS BE CUT WITHOUT PERMISSION FROM THE ARCHITECT.

16. PLUMBING, MECHANICAL, AND ELECTRICAL WORK SHALL CONSIST OF "DESIGN BUILD" SERVICES AND SHALL INCLUDE THE FURNISHING OF PERMIT DRAWINGS AS REQUIRED TO MEET ALL LOCAL AND FEDERAL CODES. COORDINATE ALL FINAL DOCUMENTS WITH ARCHITECT.

17. IF SPECIFICATIONS INDICATE "TO MATCH EXISTING..." THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING THOSE SPECIFICATIONS AND TO MATCH FINISH, FABRICATION AND/OR CONSTRUCTION WITH WORK OF EQUAL QUALITY AND WORKMANSHIP. DIRECT QUESTIONS TO THE ARCHITECT FOR RESOLUTION.

18. ANY NOTATIONS INDICATING "AS REQUIRED" OR "VERIFY" ARE TO BE VERIFIED BY THE CONTRACTOR WITH THE ARCHITECT AND HIS CONSULTANTS FOR FINAL APPROVAL BEFORE COMMENCEMENT OF CONSTRUCTION.

19. ALL WORK SHOWN "BY OTHERS" OR "N.I.C." IS TO BE ACCOMPLISHED BY A CONTRACTOR OTHER THAN THE GENERAL CONTRACTOR AND IS NOT A PART OF THE CONSTRUCTION CONTRACT. COORDINATION WITH OWNER / TENANT, VENDORS AND SUBCONTRACTORS BY THE GENERAL CONTRACTOR IS REQUIRED

20. "ALIGN" MEANS SIMILAR COMPONENTS OF CONSTRUCTION (IE: WALLS, JAMB, ETC.), SHALL BE IN LINE ACROSS VOIDS.

21. "TYPICAL" MEANS TYPICAL FOR ALL SIMILAR CONDITIONS, UNLESS OTHERWISE NOTED. (SEE ADDITIONAL NOTES ON A-4)

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STATE OF MISSOURI
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NUMBER A-6135652
REGISTERED ARCHITECT

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636.532.8011 (Fax)

OWNER:
Erma Simmons
2309 Callender Court
Chesterfield, MO 63017
636.230.7057

DATE	05.01.09
PROJ. NO.	CFD #12602
SHEET TITLE	GENERAL NOTES
SHEET NUMBER	A-6

Columns & Posts

Wellington Column

Nominal Size	Std. Lengths	Dimensions A	B	C	D	E	Maximum* Loading
6"	8', 9', 10'	5-1/2"	8-1/2"	2"	3-1/2"	9-5/8"	12,000 lbs.
8"	8', 9', 10', 12'	7-1/4"	9-7/8"	3"	3-1/2"	12-3/4"	20,000 lbs.
9"	8', 9', 10', 12'	9"	11-11/16"	3"	3-1/2"	14-7/16"	15,000 lbs.

Note: *Wellington column is complete with astragal and premium textured paint finish*

Acadian Column

Nominal Size	Std. Lengths	Dimensions A	B	C	Maximum* Loading
6"	8', 9', 10', 12'	5-1/2"	8-1/2"	2"	24,000 lbs.
8"	8', 9', 10', 12'	7-1/2"	10-1/2"	2"	50,000 lbs.

Empire Column

Nominal Size	Std. Lengths	Dimensions A	B	C	Maximum* Loading
6"	8', 9', 10'	5-1/2"	8-1/2"	3-1/2"	12,000 lbs.
8"	8', 9', 10', 12'	7-1/4"	9-7/8"	3-1/2"	20,000 lbs.
9"	8', 9', 10', 12'	9"	11-11/16"	3-1/2"	15,000 lbs.

Craftsman Column

Nominal Size	Std. Lengths	Dimensions A	B	C	Maximum* Loading
6"	8', 9', 10'	5-1/2"	6-3/4"	2-1/2"	20,000 lbs.

Square Fluted Column

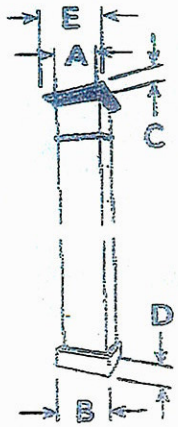
Nominal Size	Std. Lengths	Dimensions A	B	C	Maximum* Loading
3"	8', 9'	3"	N/A	N/A	8,000 lbs.
4"	8', 9', 10'	3-1/2"	5-5/8"	1-7/8"	12,000 lbs.
6"	8', 9', 10'	5-1/2"	8-1/2"	2"	23,000 lbs.
8"	8', 9', 10', 12'	7-1/2"	10-1/2"	2"	24,000 lbs.
10"	8', 10', 12', 16', 18', 20'	10"	12-7/8"	2-11/16"	26,000 lbs.
12"	8', 9', 10', 12', 16', 18', 20'	11-15/16"	15-1/8"	3-3/16"	37,000 lbs.

Round Fluted Column

Nominal Size	Std. Lengths	Dimensions A	B	C	Maximum* Loading
6"	8', 9', 10'	6"	7-9/16"	1-3/4"	20,000 lbs.
8"	8', 9', 10', 12', 16', 18', 20'	7-5/8"	9-7/16"	2-3/16"	21,000 lbs.
10"	8', 9', 10', 12', 16', 18', 20'	9-3/8"	11-1/4"	2-3/8"	26,000 lbs.
12"	8', 9', 10', 12', 16', 18', 20', 24'	11-1/2"	15-1/8"	2-3/4"	37,000 lbs.
15"	12', 16', 18', 20', 24'	14-1/2"	18-3/4"	4-3/4"	45,000 lbs.
18"	16', 18', 20', 24'	17-3/4"	22-1/2"	5"	45,000 lbs.
24"	18', 20', 24'	23-1/2"	28-7/8"	7-3/4"	45,000 lbs.

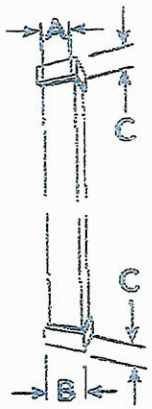
*Load-bearing capacity is dependent on distributing the load evenly over bearing surfaces of the shaft.

All installation information is of a general nature; columns should be installed and secured (fastened) according to standard construction practices and in compliance with applicable local, state and federal building regulations.

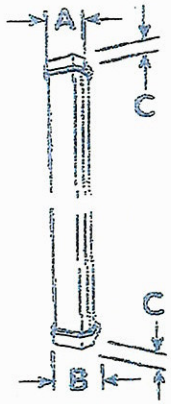


Wellington

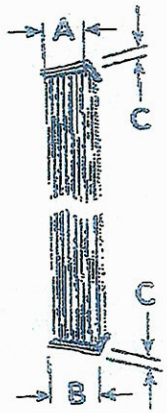
Acadian



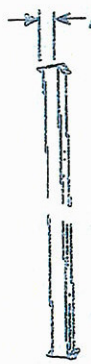
Empire



Craftsman



Square

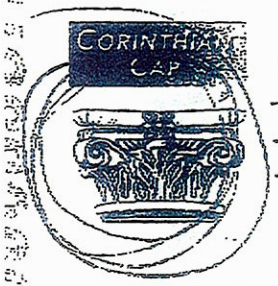


3" Fluted Post

Round

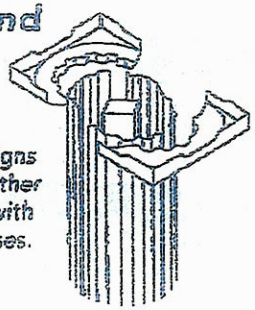
Decorative Caps

Size	Cap Height	Cap Width
8"	3-1/2"	11"
10"	5-1/4"	14-3/8"
12"	5-1/4"	19-1/2"
15"	5-3/4"	25"
18"	5-1/4"	28-3/4"
24"	8-1/4"	41-3/4"



Size	Cap Height	Cap Width
10"	10-1/4"	16"
12"	10-1/4"	16"
15"	16"	24"

Wrap-Around



Wrap-around designs are available in either round or square with split caps and bases.

Half Columns or Pilasters

Half Columns may be used as pilasters in either the round or square design to enhance any entrance.

Finishes

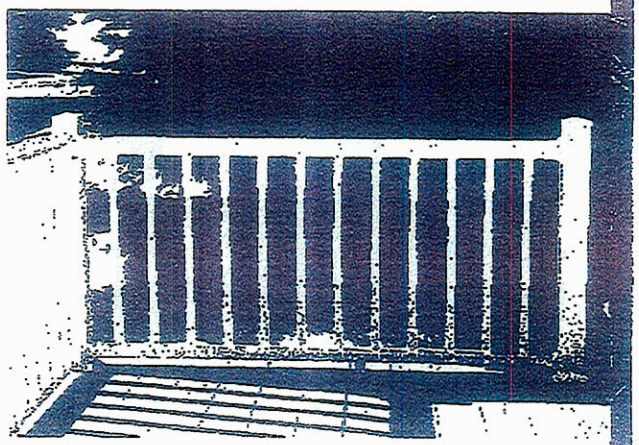
See price list for products that are available in Almond, Clay, White.

Availability

Builder Series

Fluted Series

Vinyl Handrail



AFCO's Vinyl Handrail and Post Wrap will complete your maintenance-free porch or deck project.

Distributed By:

AFCO Inc.

Manufactured By: AFCO INDUSTRIES
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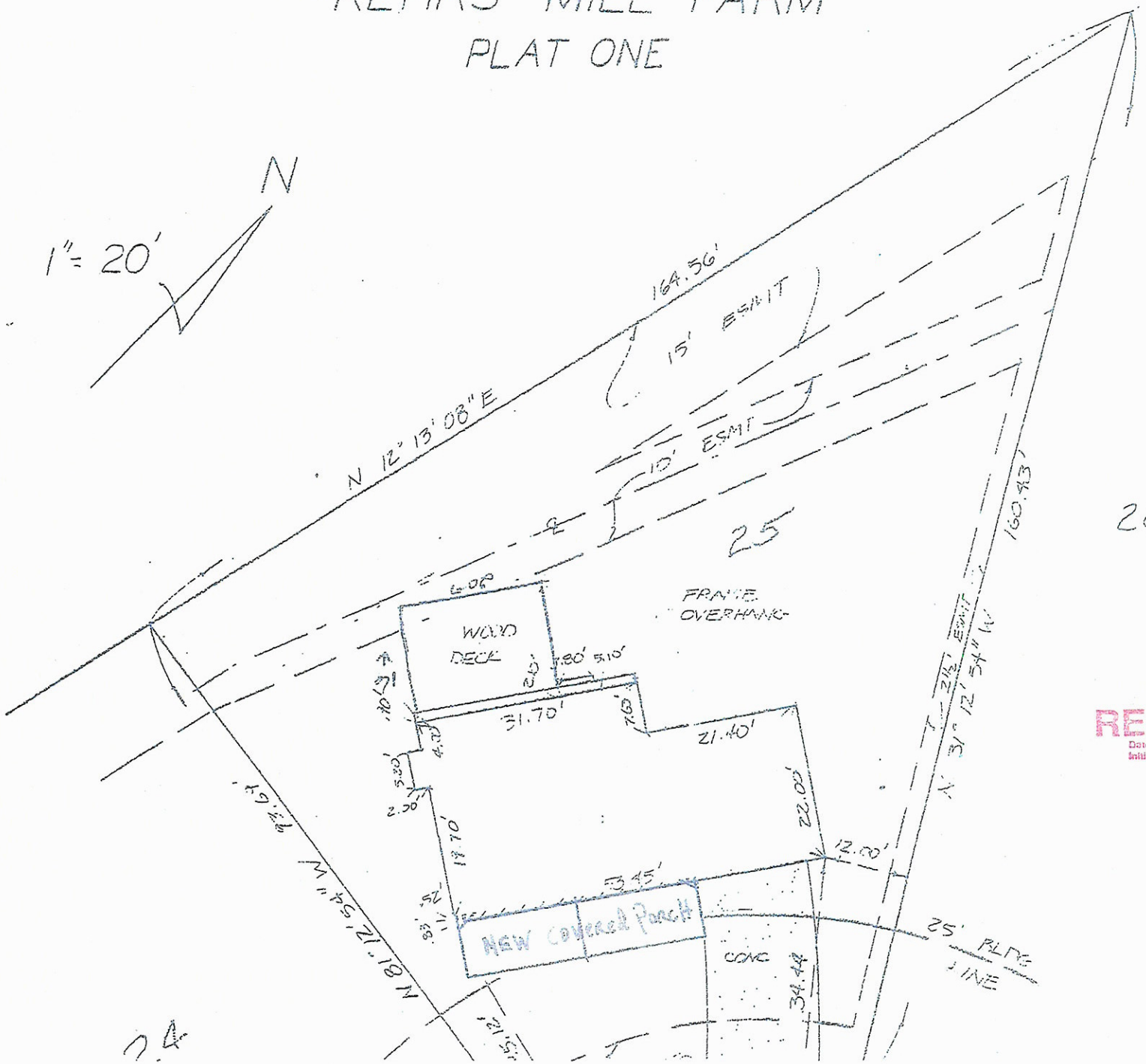
PLAT ONE



REJECT
Date 5/22/05
Initial

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(d) Accessory commercial uses in the form of limited service and retail commercial uses, not to exceed five (5) percent of the total gross floor area of the self-care building or buildings, excluding garages, to be located within one self-care building, shall be permitted in conjunction with existing nursing homes with a minimum of one hundred (100) beds and fifty (50) self-care units. There shall be no indication, through signs or other devices on the exterior, that such commercial uses are in existence. Uses authorized may include a financial facility, excluding drive-up and external walk-up facilities, barber and beauty shop, food or drug store, laundry or dry-cleaning pick-up, and a newspaper stand and card shop.

(6) *Maximum density, maximum height and minimum yard area for residential substance abuse treatment facilities.*

(a) Densities shall not exceed eight (8) resident patients and two (2) house parents or support staff, per facility for lots less than five (5) acres.

(b) No building within a residential substance abuse treatment facility development shall exceed a height of three (3) stories or forty-five (45) feet above the average ground elevation at the perimeter of the building, whichever is less.

(c) No building within a residential substance abuse treatment facility development shall be allowed within a minimum of fifty (50) feet of any property line.

(d) Residential substance abuse treatment facilities shall maintain a minimum radius of two (2) miles between each facility.

8. *Off-street parking and loading requirements.* Off-street parking and loading requirements and setbacks for parking areas, loading spaces, and internal drives are set forth in Section 1003.165, "Off-Street Parking and Loading Requirements."

9. *Sign regulations.* Sign regulations are set forth in Section 1003.168, "Sign Regulations."

1003.113. "R-2" Residence District regulations.

1. *Scope of provisions.* This section contains the district regulations of the "R-2" Residence District. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in this appendix which are incorporated as part of this section by reference.

2. *Permitted land uses and developments.* The following land uses and developments are permitted in this district:

(1) Churches.

(2) Dwellings, single-family.

(3) Forests and wildlife reservations as well as conservation projects.

(4) Golf courses, including practice driving tees on the same premises. Miniature golf courses and independent practice driving tees are excluded.

(5) Home occupations.

(6) Libraries, public or private not-for-profit.

(7) Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:

(a) Adequately screened with landscaping, fencing or walls, or any combination thereof; or.

(b) Placed underground; or

(c) Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.

(8) Parks, parkways, and playgrounds, public or private not-for-profit.

(9) Schools, public or private kindergarten, elementary, secondary, and collegiate.

3. *Conditional land use and development permits issued by the Commission.* The following land uses and developments may be permitted under conditions and requirements specified in Section 1003.181, "Conditional Use Permits":

(1) Child care centers, nursery schools, day nurseries, and day care homes.

(2) Private, not-for-profit clubs, private, not-for-profit recreational land uses, and community centers.

(3) Dormitory or group living facilities for religious, educational, or charitable purposes.

(4) Foster homes for handicapped children.

(5) Practice driving tees, no lights. Miniature golf courses are excluded.

(6) Group homes for the developmentally disabled to be occupied by no more than nine (9) individuals (excluding supervisory personnel) not related by blood or marriage to the operator or operators of the facility.

(7) Group living facilities providing a permanent residence for not more than nine (9) individuals, all over eighteen (18) years of age and who are ordained or hold a designated religious position with the same religious institution.

(8) Hospitals and hospices.

(9) Local public utility facilities over sixty (60) feet in height, and public utility facilities.

(10) Mortuaries.

(11) Nursing homes and group homes for the elderly.

(12) Police and fire stations.

(13) Residential substance abuse treatment facilities.

(14) Retreats owned and operated by religious, educational, or other not-for-profit establishments.

(15) Satellite dishes (additional to provisions of Section 1003.167, 17.).

(16) Specialized private schools.

4. *Accessory land uses developments.* Subject to compliance with the procedures of this section, accessory buildings, structures, and uses are permitted in conjunction with a permitted land use or development or (unless restricted by applicable condition) a conditional land use or development when such accessory building, structure or use is customarily found in conjunction with the primary use, is a reasonably necessary incident to the primary use, is clearly subordinate to the primary use, and serves only to further the successful utilization of the primary use. Accessory uses include the following:

(1) Devices for the generation of energy, such as solar panels, wind generators, and similar devices.

(2) Individual sewage treatment facilities serving an individual dwelling or nonresidential use, as approved by the appropriate regulatory agency. The sewage treatment facilities shall not exceed five thousand (5,000) gallons per day flow.

(3) Private stables.

(4) Permitted signs (See Section 1003.168 'Sign Regulations').

5. *Performance standards.* All uses in the "R-2" Residence District shall operate in conformity with the appropriate performance standards contained in Section 1003.163, "Zoning Performance Standard Regulations."

6. *Height limitation for structures.* The maximum height of structures in the "R-2" Residence District shall be as set out below:

(1) No building elevation of any dwelling structure or building accessory to a dwelling structure shall exceed three (3) stories or forty-five (45) feet in height, whichever is less.

(2) All other structures, other than a public utility tower authorized by a conditional use permit, shall not exceed sixty (60) feet in height above the average finished ground elevation at the perimeter of such structure; except that the height of structures may be further restricted as provided in Section 1003.161, "Air Navigation Space Regulations."

7. *Lot area, yard, and density requirements.* The minimum lot area and yard requirements for land uses and developments in the "R-2" Residence District as well as the maximum density of nursing home self-care units shall be as set out below:

(1) *Minimum lot area requirements:*

(a) The following permitted and conditional land uses shall be situated on tracts of land providing not less than the following areas:

Use	*Minimum Area*
Child care center	30,000 sq. ft
Church	3 acres
Day care home	15,000 sq. ft.
Dormitory and group living facilities	3 acres
Dwelling, single-family	15,000 sq. ft.
Group living facilities for religious purposes	15,000 sq. ft.
Library	1 acre
Group homes for the developmentally disabled	15,000 sq. ft.
Local public utility facilities	10,000 sq. ft.
Mortuary	Minimum area 3 acres (minimum of 200 feet on a state (MoDOT)

	roadway, and adjacent to existing commercial zoning district).
Residential substance abuse treatment facilities	3 acres (except 5 acres for a facility of more than 8 resident patients).
Schools	
Nursery or day nursery	15,000 sq. ft.
Kindergarten (separate)	1 acre
Primary	5 acres
Junior high	10 acres
Senior high	20 acres
Collegiate	10 acres

(b) Any lot or tract of record on the effective date of this ordinance, which contains less than fifteen thousand (15,000) square feet., may be used as a site for one single-family dwelling together with accessory structures and uses.

(c) Foster homes for handicapped children and not-for-profit private clubs and recreational land uses, including community centers, as approved by the Planning Commission via a conditional use permit, may be established on tracts of land less than five (5) acres where the related parking needs, outdoor facilities, size of buildings, and maximum membership of the developments and uses are deemed consistent with the intensity of land use in the neighborhood of the uses and developments. However, the minimum tract area for the conditional developments and uses shall not be less than fifteen thousand (15,000) square feet.

(d) Police and fire stations as approved by the Planning Commission via a conditional use permit may be established on tracts of less than five (5) acres where the related parking needs, outdoor facilities, and size of buildings are deemed consistent with the intensity of land use in the neighborhood of these uses.

(e) Specialized private schools shall be located on a tract of land containing one acre for each fifteen (15) pupils, but in no case less than five (5) acres, nor more than that required by the school land area requirements, as listed in paragraph 7.(1)(a).

(f) All other permitted or conditional land uses in this district shall be situated or conducted on tracts of land at least five (5) acres in area.

(2) *Creation of new lots.* No new lots shall be created of less than fifteen thousand (15,000) square feet in area except for police stations and local public utility

facilities. Lots of less than fifteen thousand (15,000) square feet, created for the above uses, shall not be used for any other use and, in the event the permitted use terminates, the lot shall be established as common ground for an adjacent development or combined with an adjacent parcel or parcels by means of a boundary adjustment. Prior to the approval of a subdivision record plat creating a lot of less than fifteen thousand (15,000) square feet, a deed or other legal instrument must be approved by the City Attorney and recorded with the St. Louis County Recorder of Deeds, which guarantees the required transfer of the property in the event the permitted use is terminated, with a copy to be filed with the City of Chesterfield.

(3) *Minimum yard requirements; general.*

(a) Front yard. No structure shall be allowed within twenty-five (25) feet of any roadway right-of-way line.

(b) Side yard. No structure shall be allowed within ten (10) feet of any side property line.

(c) Rear yard. No structure shall be allowed within fifteen (15) feet of any rear property line.

(4) *Specific yard requirements and exceptions.*

(a) Notwithstanding any other provision of this appendix, on corner lots, no structure or plant material exceeding three (3) feet in height above the elevation of the street pavement is allowed within the sight distance triangle.

(b) Boundary walls or fences, six (6) feet or less in height, are allowed within the minimum yard requirements.

(c) Permitted information signs, six (6) feet or less in height, are allowed within the minimum front yard setback.

(d) Permitted directional signs, three (3) feet or less in height, are allowed within the minimum front yard setback.

(e) Light standards for street lighting or at points of ingress and egress, but not including parking lot lighting, are allowed within the minimum front yard setback when approved by the Department of Planning. Light standards for parking lot lighting are allowed no closer than ten (10) feet of any side or rear yard line which adjoins property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District.

(f) In the event that greater than fifty (50) percent of the existing dwelling structures on the same side of a street and in both directions from a lot, for a distance of five hundred (500) feet or to the nearest intersecting street, whichever distance is less, have a variation in front yard setbacks of no more than ten (10) feet, the required front yard for that lot shall be the average setback of those structures. However, in no case shall any building be located closer than fifteen (15) feet from any roadway right-of-way line, nor shall a setback of greater than fifty (50) feet be required.

(g) If a lot of record existing on the effective date of this ordinance has a width of sixty (60) feet or less, the side yard on each side of any structure erected on such lot may be reduced to a width of not less than ten (10) percent of the width of the lot, but in no instances shall such yard be less than five (5) feet in width.

(h) Any nonresidential structure, other than a public utility tower authorized by a conditional use permit, which exceeds thirty (30) feet in height shall be set back from all property lines at least one additional foot for every foot of height above thirty (30) feet.

(i) No private stable shall be allowed within one hundred (100) feet of any property line. Affiliated pasture areas shall be fenced.

(5) *Maximum density, maximum height, and minimum yard requirements for nursing homes.*

(a) Densities of self-care units shall not exceed fifteen (15) units per acre.

(b) No building within a nursing home development shall exceed a height of three (3) stories or forty-five (45) feet above the average ground elevation at the perimeter of the building, whichever is less.

(c) No building within a nursing home development shall be allowed within a minimum of fifty (50) feet of any property line.

(d) Accessory commercial uses in the form of limited service and retail commercial uses, not to exceed five (5) percent of the total gross floor area of the self-care building or buildings, excluding garages, to be located within one self-care building, shall be permitted in conjunction with existing nursing homes with a minimum of one hundred (100) beds and fifty (50) self-care units. There shall be no indication, through signs or other devices on the exterior, that such commercial uses are in existence. Uses authorized may include a financial facility, excluding drive-up and external walk-up facilities, barber and beauty shop, food or drug store, laundry or dry-cleaning pick-up, and a newspaper stand and card shop.

(6) *Maximum density, maximum height and minimum yard area for residential substance abuse treatment facilities.*

(a) Densities shall not exceed eight (8) resident patients and two (2) house parents or support staff, per facility for lots less than five (5) acres.

(b) No building within a residential substance abuse treatment facility development shall exceed a height of three (3) stories or forty-five (45) feet above the average ground elevation at the perimeter of the building, whichever is less.

(c) No building within a residential substance abuse treatment facility development shall be allowed within a minimum of fifty (50) feet of any property line.

(d) Residential substance abuse treatment facilities shall maintain a minimum radius of two (2) miles between each facility.

8. *Off-street parking and loading requirements.* Off-street parking and loading requirements and setbacks for parking areas, loading spaces, and internal drives are set forth in Section 1003.165, "Off-Street Parking and Loading Requirements."

9. *Sign regulations.* Sign regulations are set forth in Section 1003.168, "Sign Regulations."

1003.115. "R-3" Residence District regulations.

1. *Scope of provisions.* This section contains the district regulations of the "R-3" Residence District. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in this chapter [appendix] which are incorporated as part of this section by reference.

2. *Permitted land uses and developments.* The following land uses and developments are permitted in this district:

(1) Churches.

(2) Dwellings, single-family.

(3) Golf courses, including practice driving tees on the same premises. Miniature golf courses and independent practice driving tees are excluded.

(4) Home occupations.

III.C.

Notice of Public Hearing
City of Chesterfield
Board of Adjustment

NOTICE IS HEREBY GIVEN that the Board of Adjustment of the City of Chesterfield will hold a Public Hearing on Thursday, July 10, 2008 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. 05-2008 16292 Upper Chesterfield Ridge Drive (Dennis and Franca Wibbenmeyer): A request for variance from City of Chesterfield Ordinance 2239, Section E to allow an existing residence located at the referenced address in the Chesterfield Ridge Subdivision to maintain a 20ft. Rear yard setback in lieu of the required 25 ft. rear yard setback. (19T320875)

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

Copies of the request are available for review at the City Government Center 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 telephone at 636-537-4737 or by email at amccaskill@chesterfield.mo.us

City of Chesterfield

Annissa McCaskill-Clay, AICP
Lead Senior Planner

City of Chesterfield

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

July 2, 2008

Board of Adjustment
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017

Re: **B.A. 05-2008 16292 Upper Chesterfield Ridge Drive (Dennis and Franca Wibbenmeyer):** A request for variance from City of Chesterfield Ordinance 2239, Section E to allow an existing residence located at the referenced address in the Chesterfield Ridge Subdivision to maintain a 10ft. Rear yard setback in lieu of the required 15 ft. rear yard setback. (19T320875)

Dear Board Members:

Dennis and Franca Wibbenmeyer, the owners of the above-referenced single family home, have submitted a request to the Board of Adjustment for the above-mentioned variance. In review of the petitioners' request, the Department of Planning submits the following report.

Background of site

1. The Wibbenmeyer residence is located at 16292 Upper Chesterfield Ridge Drive in Phase II of the Chesterfield Ridge Subdivision.
2. The Chesterfield Ridge Subdivision, Phase II is zoned "R5" Residence District with a Planned Environment Unit Procedure. Ordinance 2239 provides the governing regulations for the established Planned Environment Unit Procedure.
3. A Planned Environmental Unit (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."
4. In the development of Chesterfield Ridge Subdivision, Phase II under Ordinance 2239, the minimum yard requirements are established with a rear yard setback as 15ft.

5. On May 16, 2008, the City of Chesterfield rejected an application for municipal zoning approval for a new front porch and roof overhang because they extended beyond the established front yard setback.

Unique physical characteristics of the lot (e.g., size, slope, etc.):

From Petitioner's Application, page 2: *"Backs to common ground 9which is a dry storm water retention basin)."*

Description of the necessity of the proposed improvement

From Petitioner's Application, page 2: *"Owner request an outside deck area large enough to accommodate and use a BBQ grill on the main living (2nd) floor. The deck will be 8 x 8'6". It will exceed the 25'[1] building setback line by approximately 3'8"…The deck is adjacent to the kitchen/breakfast room."*

Basis for appeal:

From Petitioner's Application, pg. 2: *"Property backs to common ground. Six of the seven neighbors in Phase II of Chesterfield Ridge have been informed by the owner of the proposed plans. All six have expressed their approval by signing the same copy of the plan that the Trustees have signed with their approval of the plan."*

Statement of practical difficulties and unnecessary hardships warranting action by the Board:

From Petitioner's Application, pg. 4: " Because of physical complications due to illness, Mrs. Wibbenmeyer would be unable to go up and down the interior steps from her kitchen to the lower level patio in order to BBQ without causing herself undo hardship or harm."

Approval Criteria

Mr. and Mrs. Wibbenmeyer are seeking a variance to allow for a 10 ft. rear yard setback in lieu of the 15 ft. rear yard setback established by City of Chesterfield Ordinance 2239:

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.

[1] The Petitioner has noted an incorrect setback. The actual setback onto which the deck encroaches is a 15 ft. rear yard setback, not a 25 ft. setback.

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;"

Action is requested on B.A. 05-2008 16292 Upper Chesterfield Ridge Drive.

Respectfully Submitted,

Annissa G. McCaskill-Clay, AICP
Assistant Director of Planning

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 Applications
   A. Application to Board of Adjustment
   B. Rejected Municipal Zoning Approval
6. City of Chesterfield Zoning Ordinance Section 1003.113(3)(a)

06-18-08P03:40 RCVD

City of Chesterfield

DEPARTMENT OF PLANNING

RECEIVED JUN 18 2008 DEPT. OF PLANNING & PUBLIC WORKS

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.**

[ ] **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 5-2008
HEARING DATE 7-10-08

I. APPLICANT INFORMATION

Owner(s) of record of the hereinafter described property according to St. Louis County Assessor's Record: Dennis L. Wibbenmeyer, Franca Wibbenmeyer
Address: 16292 Upper Chesterfield Ridge Dr.
City: Chesterfield **State:** MO **Zip:** 63017
Tel.: 636-778-9075 **Fax:** 636-532-8011

Petitioner, if other than owner(s): Chesterfield Fence & Deck Co., Inc.
Address: 18614 Olive Street Rd
City: Chesterfield **State:** MO **Zip:** 63017
Tel.: 636-532-4054 **Fax:** 636-532-8011
Legal Interest: Contractor 5-12-08 no expiration
(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: 16292 Upper Chesterfield Ridge Dr. 63017

Locator Number(s): 19T 320875

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

Acreage: .224 (To the nearest tenth of an acre)

Subdivision Name (If applicable): Chesterfield Ridge Phase II

Current Zoning District: R5

Legal Description of Property: Lot 39 of Chesterfield Ridge Phase II, Recorded in Plat Book 354 page 942 of St. Louis County

(Attach additional sheets as necessary)

III. NATURE OF REQUEST FOR VARIANCE

Unique physical characteristics of the lot (e.g., size, slope, etc.): Backs to common ground (which is a dry storm water retention basin).

(Attach additional sheets as necessary)

Description of the necessity of the proposed improvement: Owner requests an outside deck area large enough to accomodate and use a BBQ grill on the main living (2nd) floor. The deck will be 8'X8'6". It will exceed the 25' building setback line by approx. 3'8" (3'8" X 8'6" wide or 32 square feet total). The deck is adjacent to the kitchen/breakfast room.

(Attach additional sheets as necessary)

Ordinance Number and section to which a variance is sought: City of Chesterfield Ordinance 2239, Section E, Structure and Parking Setbacks

(Attach additional sheets as necessary)

Basis for appeal of the above action: Property backs to common ground. Six of the seven neighbors in Phase II of Chesterfield Ridge have been informed by the owner of the proposed plans. All six have expressed their approval by signing the same copy of the plan that the Trustee's have signed with their approval of the plan.

(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** [✓] **No**

Specify the action to which the appeal is sought: To allow construction of a deck

(Attach additional sheets as necessary)

Description of the effect or impact on neighboring properties: None. Backs to common ground.

(Attach additional sheets as necessary)

Statement of any other hardship or information for this appeal: See page 4 at top.

(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:
Rear yard: 20 ft
Height:

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

Front yard:
Side yard:
Rear yard: 25 ft
Height:

The following information correctly presents the true conditions and also describes the practical difficulties and unnecessary hardships warranting action by the Board.
Because of physical complications due to illness, Mrs. Wibbenmeyer would be unable to go up and down the interior steps from her kitchen to the lower level patio in order to BBQ without causing herself undo hardship or harm.

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:

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

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

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: NA

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 Chesterfield Fence & Deck (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)

Dennis L. Wibbenmeyer
Franca Wibbenmeyer
(Name- type, stamp or print clearly)

Dennis L. Wibbenmeyer
Franca Wibbenmeyer
(Signature)

16292 Upper Chesterfield Ridge
(Address, City, State, Zip) Chesterfield, MO 63017

(Name of Firm)

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 18th day of June, 20 08.

Signed Shari M Thiel Print Name: Shari M. Thiel
Notary Public

Seal/Stamp:

SHARI M. THIEL
Notary Public - Notary Seal
STATE OF MISSOURI
St. Charles County
My Commission Expires: May 27, 2010
Commission # 06396557

My Commission Expires: May 27, 2010

XII. AFFIDAVIT OF COMPLETENESS AND ACCURACY

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

Project Name: Dennis Wibbenmeyer **Submittal Date**: June 18, 2008

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: [ ] I am the property owner. [ ] I am the contract purchaser.
[✓] I am the duly appointed agent of the petitioner.

DENNIS MAY
(Name- type, stamp or print clearly)

(Signature)

Chesterfield Fence & Deck Co., Inc.
(Name of Firm)

18614 Olive Street Rd. Chesterfield, MO 63005
(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 18th day of June, 20 08.

Signed Shari M Thiel Print Name: Shari M. Thiel
Notary Public

My Commission Expires: May 27, 2010

Seal/Stamp:

SHARI M. THIEL
Notary Public - Notary Seal
STATE OF MISSOURI
St. Charles County
My Commission Expires: May 27, 2010
Commission # 06396557

STAFF / BOA USE ONLY

Intake Date: _____

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

Signed: _____

Chairman

[THIS SPACE INTENTIONALLY LEFT BLANK]

197 320 813

City of Chesterfield

Rejected

DEPARTMENT OF PLANNING AND PUBLIC WORKS

RECEIVED MAY 9 2008 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

05-09-08P03:28 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: DENNIS WIBBENMEYER

Project Address: 16292 Upper CHESTERFIELD RIDGE

City: CHESTERFIELD **State:** MO **Zip:** 63005

Tenant Name (if different than above):

Owner/Tenant Authorization to Applicant: DAVE WILLIAMS

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

5-20-08 Monarch called

Applicant Name: CHESTERFIELD FENCE & DECK

Applicant Address: 18614 OLIVE STREET ROAD

Phone Number: 636 532 4054 Attn: DAVE WILLIAMS

Name of Subdivision: CHESTERFIELD RIDGE, PHASE II

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

DAVE WILLIAMS, W3, Lot 39

(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:

DAVE WILLIAMS

(Signature of owner/applicant required)

Description of Work: NEW DECK & SCREEN ROOM

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

(FOR CITY OF CHESTERFIELD AND ST. LOUIS COUNTY STAFF USE ONLY)

Municipal Zoning Classification: RS

Is this project located within a Flood Plain: **(Check one)** **Yes** ____ **No** X

Status 1: **APPROVED** **REJECTED** (circle one)

Approved/Rejected by: [signature] **Date:** 5/16/08

Print Name and Title: Derrick Redleaf Planning Tech

Comments: 15' rear Setback

Status 2: **APPROVED** **REJECTED** (circle one)

Approved/Rejected by: _____ **Date:** _____

Print Name and Title: _____

Comments: _____

EXTERIOR FIRE PROTECTION

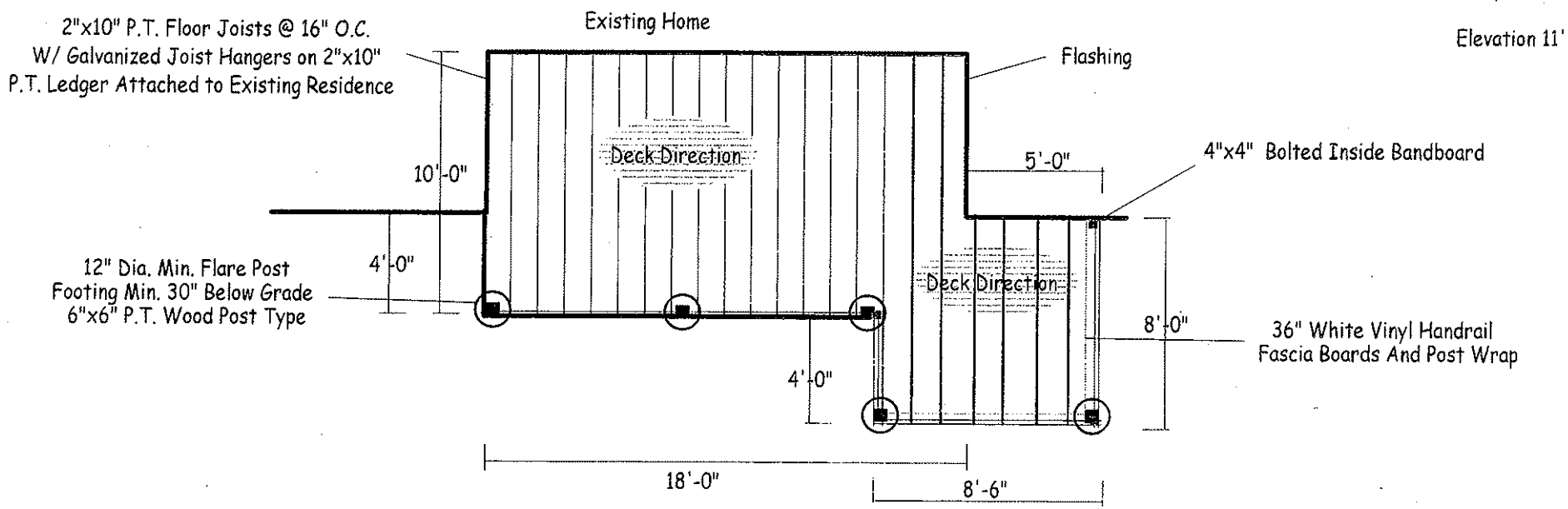
Approved by: _____ **Date:** _____

Print Name and Title: _____

Fire Protection Provided By: _____

ST. LOUIS COUNTY PERMIT APPLICATION NUMBER: _____

Notes: _____



Scale 1" = 6'

Plan Designer:		Contractor:	Owner:		
Dave Williams 18614 Olive Street Road Chesterfield, MO 63005 Phone 636.532.4054 Fax 636.532.8011		Chesterfield Fence & Deck 18614 Olive Street Road Chesterfield, MO 63005 Phone 636.532.4054 Fax 636.532.8011	Dennis Wibbenmeyer 16292 Chesterfield Ridge Chesterfield, MO 63005 Phone 636.778.9075	Date	3/21/2008
				Project No.	
				Title	Deck Plan
				Consultant	Dennis May

General Notes, 1) Use ACQ No. 1 lumber for framing

Material:	Size:	Qty:	Remarks:
Concrete Piers:			
Bottom Belled	14"	Per Plan	W/ Post Base
Cylinder	12" Diameter	Per Plan	6" Above Grade 30" Below Grade
Treated Lumber Sub-Deck:			
Joist	2"X10"	@ 12" O.C.	P.T.
Ledger Board	2"X10"		P.T. W/ .5" Dia. Lag Bolts@ 16" O.C.
Beams	2"X10" Doubled	Per Plan	P.T. W/ Hangers
Support Post	6"X6"	Per Plan	P.T.
Deck Material:			
Top Deck	5/4"X6"	Per Plan	Veka Top Deck (ESR-1469)
Fascia	1/2" X 12"	Per Plan	Wrapped W/ Veka Band-Board Only
Handrail	36" High	Per Plan	Veka T-Rail (ESR-1850)
Handrail Post	4"X4"	@ 96" O.C.	P.T. Flat Caps and Trim Bases
Balusters	3/4"	@ 4" O.C.	Round Aluminum

Plan Designer:
Dave Williams
18614 Olive Street Road
Chesterfield, MO 63005
Phone 636.532.4054
Fax 636.532.8011

Contractor:
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Chesterfield, MO 63005
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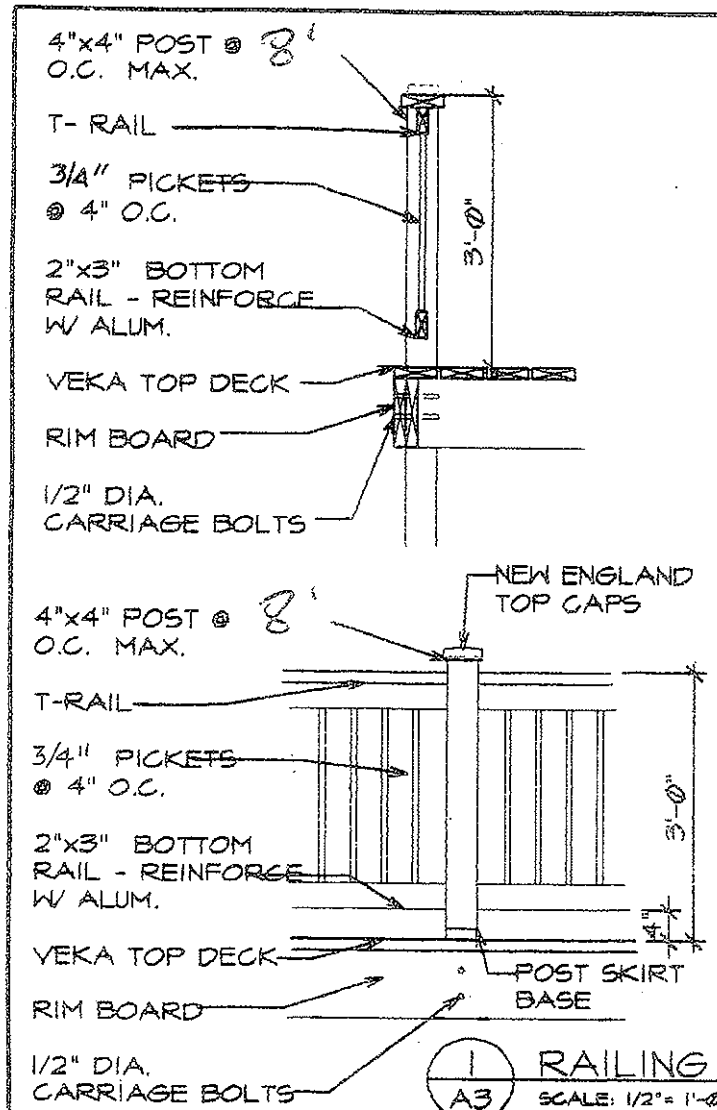
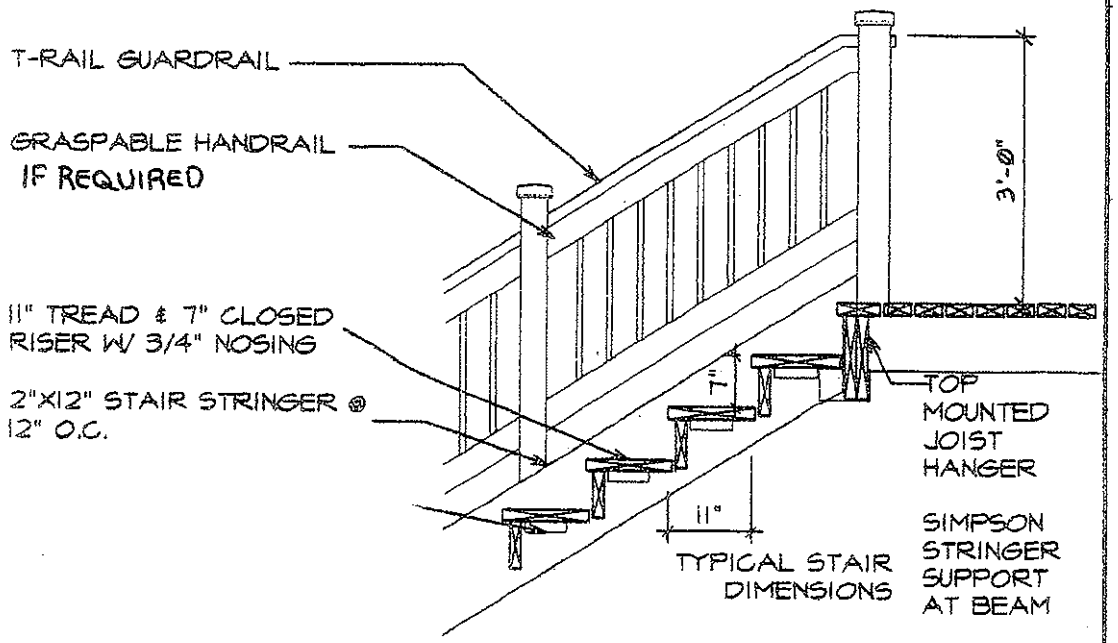
Owner:
Dennis Wibbenmeyer
16292 Chesterfield Ridge
Chesterfield, MO 63005
Phone 636.778.9075

Date	3/21/2008
Title	Project Notes And Materials
Consultant	Dennis May

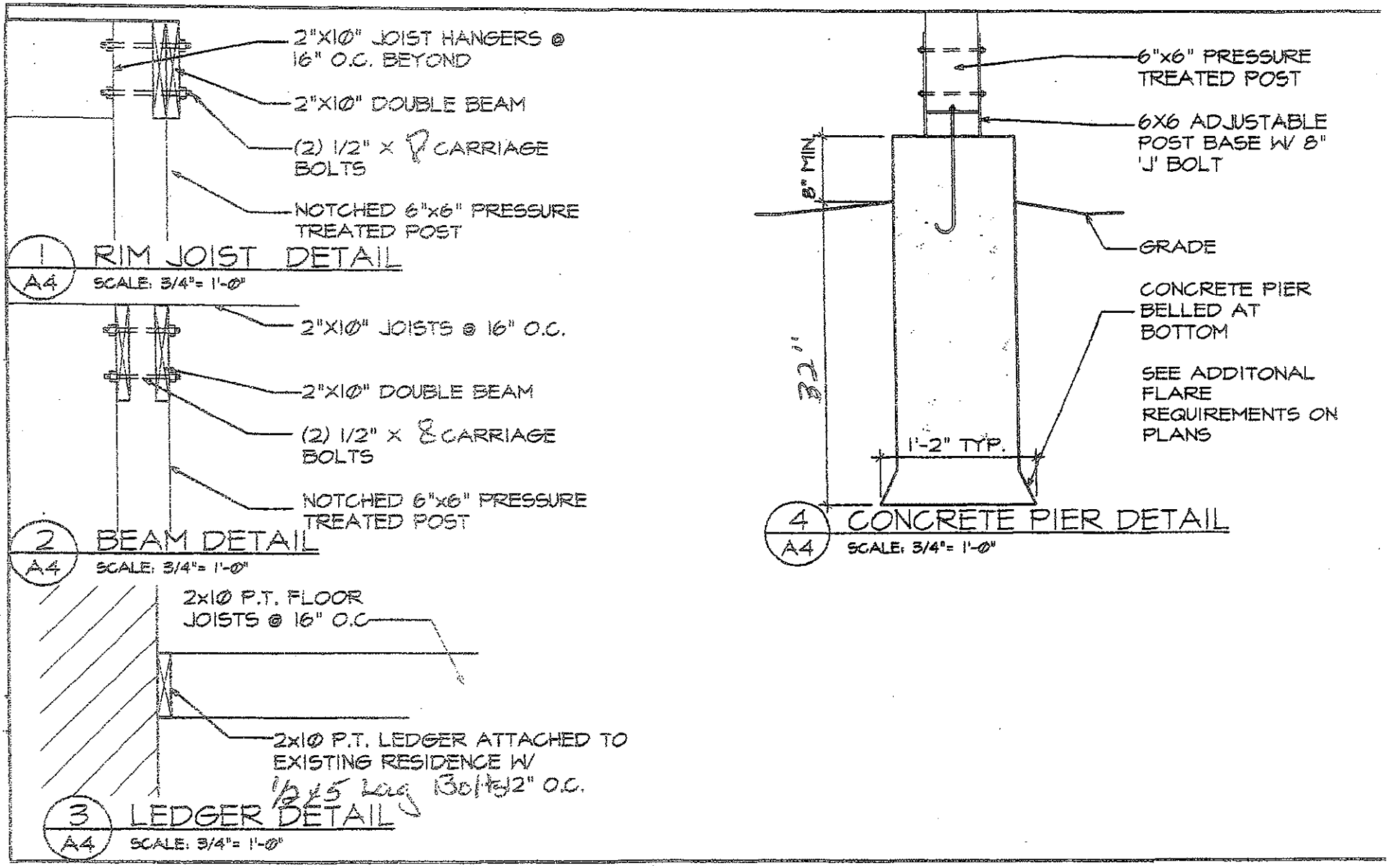
VEKA (ESR-1850) DELUXE T-RAIL RAILING ASSEMBLY WITH POST SKIRT BASE AND NEW ENGLAND TOP CAPS



1 A3 RAILING DETAIL
SCALE: 1/2" = 1'-0"

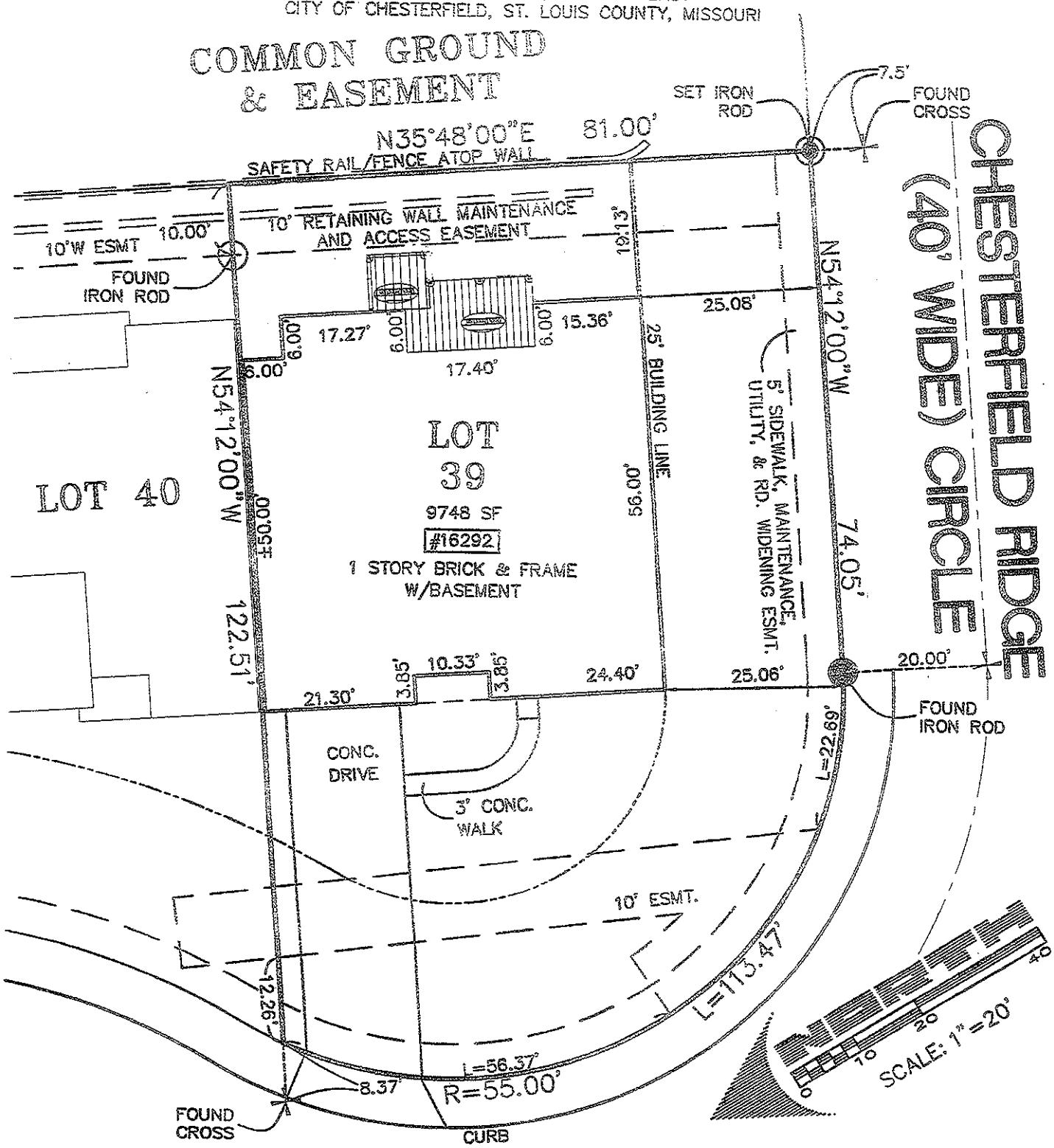


2 A3 STAIR SECTION
SCALE: 1/2" = 1'-0"


2"X10" JOIST HANGERS @ 16" O.C. BEYOND
2"X10" DOUBLE BEAM
(2) 1/2" x 7 CARRIAGE BOLTS
NOTCHED 6"x6" PRESSURE TREATED POST
1 A4 RIM JOIST DETAIL
SCALE: 3/4"= 1'-0"
2"X10" JOISTS @ 16" O.C.
2"X10" DOUBLE BEAM
(2) 1/2" x 8 CARRIAGE BOLTS
NOTCHED 6"x6" PRESSURE TREATED POST
2 A4 BEAM DETAIL
SCALE: 3/4"= 1'-0"
2x10 P.T. FLOOR JOISTS @ 16" O.C
2x10 P.T. LEDGER ATTACHED TO EXISTING RESIDENCE W/ 1/2 x 5 Lag Bolts @ 2" O.C.
3 A4 LEDGER DETAIL
SCALE: 3/4"= 1'-0"
6"x6" PRESSURE TREATED POST
6X6 ADJUSTABLE POST BASE W/ 8" 'J' BOLT
8" MIN.
GRADE
CONCRETE PIER BELLED AT BOTTOM
SEE ADDITONAL FLARE REQUIREMENTS ON PLANS
32"
1'-2" TYP.
4 A4 CONCRETE PIER DETAIL
SCALE: 3/4"= 1'-0"

CHESTERFIELD RIDGE PHASE II
A TRACT OF LAND BEING ALL OF LOT 39

TOWNSHIP 45 NORTH, RANGE 4 EAST
CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI



THIS IS TO CERTIFY THAT AT THE REQUEST OF DENNIS AND FRANCA WIBBENMEYER, WE HAVE ON THE 15TH DAY OF OCTOBER, 2007, EXECUTED A BOUNDARY SURVEY IN ACCORDANCE WITH THE CURRENT STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS AND THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, DIVISION OF GEOLOGY AND LAND SURVEY AND IN A MANNER CONSISTENT WITH THE DEGREE OF CARE AND SKILL ORDINARILY EXERCISED BY MEMBERS OF THE LAND SURVEYING PROFESSION CURRENTLY PRACTICING AND IN SIMILAR CIRCUMSTANCES, ON A TRACT OF LAND BEING ALL OF LOT 39 OF CHESTERFIELD RIDGE PHASE II, RECORDED IN PLAT BOOK 354 PAGE 942 OF ST. LOUIS COUNTY, MISSOURI, AND THAT THE RESULTS OF SAID SURVEY ARE REPRESENTED UPON THIS PLAT. THE SUBJECT PROPERTY IS AN URBAN PROPERTY AS DEFINED IN SAID STANDARDS.

WIND ENGINEERING COMPANY L.S. NO. 2005018376-D

BARN

NUMBER

NOTE:

BILL NO. 2418 ORDINANCE NO. 2239

AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE 1763 AND REPLACING IT WITH A NEW ORDINANCE ESTABLISHING A PLANNED ENVIRONMENT UNIT (PEU) SPECIAL PROCEDURE IN THE "R-5" 6,000 SQUARE FOOT RESIDENTIAL DISTRICT FOR A 10.97 ACRE TRACT OF LAND LOCATED ON CLARKSON ROAD, SOUTH OF LEIMAN DRIVE. (P.Z. 27-2005 CHESTERFIELD RIDGE/PHASE II).

WHEREAS, the City of Chesterfield approved Ordinance 1763 on the 16th day of July, 2001.

WHEREAS, the Petitioner, Kemp Homes, requested a special procedure to establish a Planned Environment Unit (PEU) in an "R-5" 6,000 square foot Residential District; and,

WHEREAS, the Planning Commission, upon review of the request, recommended approval of the petition by a 9-0 vote on December 12, 2005, with an amendment requiring the sidewalk along Clarkson Road to be constructed in such a way that Tree Number 12 is preserved; and,

WHEREAS, the City Council, having also reviewed the request and the Planning Commission's recommendation, voted to approve P.Z. 27-2005 Chesterfield Ridge (Phase II).

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 special procedure establishing a Planned Environment Unit "PEU" in an "R-5" 6,000 square foot residential district for a 10.97 acre tract of land located on Clarkson Road, South of Leiman Drive in the City of Chesterfield as follows:

LAND DESCRIPTION

A TRACT OF LAND IN U.S. SURVEY 2002 AND THE SOUTHEAST FRACTIONAL QUARTER OF SECTION 16, TOWNSHIP 45 NORTH, RANGE 4 EAST IN THE CITY OF CHESTERFIELD, COUNTY OF ST. LOUIS, STATE OF MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE EASTERN LINE OF CLARKSON ROAD, NOW KNOWN AS MISSOURI STATE HIGHWAY NO. 340, 60.00 FEET WIDE, AS CONDEMNED FOR PUBLIC USE BY THE COUNTY OF ST. LOUIS ON APRIL 18, 1932. A CERTIFIED COPY OF WHICH BEING OF RECORD IN BOOK 1145, PAGE 632 OF THE ST. LOUIS COUNTY RECORDS, WITH THE SOUTHERN LINE OF U.S. SURVEY 2002; THENCE ALONG SAID EASTERN RIGHT OF WAY LINE OF HIGHWAY NUMBER 340, NORTH 31 DEGREES 07 MINUTES 38 SECONDS EAST 557.40 FEET TO A POINT; THENCE SOUTH 58 DEGREES 52 MINUTES 22 SECONDS EAST 5.00 FEET TO A POINT; THENCE NORTH 31 DEGREES 07 MINUTES 38 SECONDS EAST 64.00 FEET TO A POINT; THENCE NORTH 58 DEGREES 52 MINUTES 22 SECONDS WEST 5.00 FEET TO A POINT; THENCE NORTH 31 DEGREES 07 MINUTES 38 SECONDS EAST 72.46 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND NOW OR FORMERLY CONVEYED TO 3-0 PARTNERSHIP AS RECORDED IN DEED

BOOK 7370, PAGE 1511 OF THE ST. LOUIS COUNTY RECORDS; THENCE ALONG SAID SOUTHERN LINE OF 3-0 PARTNERSHIP TRACT SOUTH 65 DEGREES 42 MINUTES 22 SECONDS EAST 394.10 FEET TO THE SOUTHEAST CORNER OF SAID 3-0 PARTNERSHIP PROPERTY, SAID POINT ALSO BEING ON THE WEST RIGHT OF WAY LINE OF OLD CLARKSON ROAD, 40.00 FEET WIDE; THENCE IN A SOUTHERLY DIRECTION ALONG THE WEST LINE OF SAID OLD CLARKSON ROAD THE FOLLOWING COURSES AND DISTANCES, SOUTH 30 DEGREES 36 MINUTES 33 SECONDS WEST 230.81 FEET TO A POINT; THENCE SOUTH 20 DEGREES 01 MINUTES 34 SECONDS WEST 361.95 FEET TO A POINT; THENCE SOUTH 40 DEGREES 23 MINUTES 33 SECONDS WEST 555.92 FEET TO A POINT; THENCE SOUTH 58 DEGREES 58 MINUTES 18 SECONDS WEST A DISTANCE OF 65.29 FEET TO A POINT ON THE NORTHEAST LINE OF PROPERTY CONVEYED TO DIETRICH AND JUDITH STEINBERG IN DEED BOOK 7508 PAGE 1708 OF THE ST. LOUIS COUNTY LAND RECORDS; THENCE ALONG SAID NORTHEAST LINE NORTH 53 DEGREES 37 MINUTES 42 SECONDS WEST A DISTANCE OF 344. 52 FEET TO A POINT ON THE SAID EASTERN RIGHT-OF-WAY LINE OF HIGHWAY NO. 340; THENCE ALONG SAID EASTERN LINE NORTH 31 DEGREES 07 MINUTES 38 SECONDS EAST A DISTANCE OF 420.13 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.97 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, which are set out in the Attachment "A," which is attached hereto and made a part of.

Section 3. The City Council, pursuant to the petition filed by G.H.H. Investments, L.L.C. in P.Z. 3-2005 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 10th day of October, 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 6th day of February, 2006.

John Nation
MAYOR

ATTEST:

Martha L. DeMay

ATTACHMENT A

In keeping with the following Comprehensive Plan policies, these conditions have been developed:

1.1.1 Conservation of Existing Quality of Life
1.1.3 Diversity of Development
1.2.1 Coordinated Growth
1.2.2 Quality New Development
1.3.2 Encourage Quality Project Planning
2.1.2 Encourage Planned Residential Development
2.1.3 Restrict Access of Individual Homes on Arterial Streets
2.1.5 Residential Development along Arterial Streets
4.1.8 Develop Sidewalks
4.2.3 New Development Storm Water Control

I. SPECIFIC CRITERIA

A. Information to be shown on the Site Development Concept Plan shall be limited to those conditions specified in Section A, General Criteria-Concept Plan. Site Development Plans and Site Development Section Plans shall adhere to specific design criteria.

B. Definitions

1. Site Development Concept Plan is a conceptual plan for development in a planned district being done in phases. A concept plan provides an overall picture of a development that is being divided into sections to be developed in phases.

2. A Site Development Section Plan is a plan for development for sections of the overall concept plan.

3. Site Development Plan is a plan for development in planned districts that is being done in one phase.

C. PERMITTED USES

1. The uses allowed this R-5 PEU District shall be:
   a. Forty (40) single-family attached units.

2. The above uses in the R-5 PEU District shall be restricted as follows:

a. The development shall contain a combination of two (2) and three (3) units building groups. A maximum of ten (10) three-unit building groups is permitted.

b. Two car garages shall be provided for each unit.

D. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS

1. HEIGHT

a. The maximum height of the building, exclusive of roof screening, shall not exceed two (2) stories or forty-five (45) feet.

2. BUILDING REQUIREMENTS

a. Openspace: A minimum of fifty-five (57%) openspace is required for this development. Openspace includes all areas excluding the building or areas for vehicular circulation.

E. STRUCTURE AND PARKING SETBACKS

1. STRUCTURE SETBACKS

No building or structure, other than a freestanding project identification sign, boundary and retaining walls, light standards, flag poles or fences will be located within the following setbacks:

a. A minimum of thirty (30) foot setback, which includes the landscape buffer, shall be provided on Clarkson Road.

b. A minimum of a thirty (30) foot setback, from existing edge of pavement and including the landscape setback, shall be provided on Old Clarkson Road.

c. A minimum of twenty (20) foot setback shall be provided for the northern and southern boundaries of the district.

2. LOT CRITERIA

a. Front yard setbacks shall be a minimum twenty-five (25) feet from property lines.

b. Side Yard setbacks shall be a minimum eight (8) feet from property lines. Property line N 62 degrees 00' 42"W shall have a zero (0) foot setback.

c. Building groups shall be separated by a minimum of sixteen (16) feet.

d. Rear yard setbacks shall be a minimum of fifteen (15) feet.

e. A minimum of thirty (30) feet shall be provided between a structure, which backs-up to the rear of another structure. A minimum of twenty-five (25) feet shall be provided between a structure, which backs-up to the side of another structure.

F. PARKING AND LOADING REQUIREMENTS

1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.

   a. Parking shall be restricted to one side of the proposed street as directed by the City of Chesterfield Department of Public Works.

   b. No driveway, within one-hundred (100) feet of the entrance across from Forest Meadows Drive, may be located within eighty (80) feet of the existing edge of pavement of Clarkson Road.

2. Construction Parking

   a. No construction related parking shall be permitted within the State Route 340 and Old Clarkson Road right-of-way.

G. LANDSCAPE AND TREE REQUIREMENTS

1. The developer shall submit a landscape plan, tree stand delineation; and tree preservation plan in accordance with the City of Chesterfield Code.

2. The vegetative buffer on Old Clarkson Road must be preserved in the City's right-of-way and may not be disturbed without the specific approval of City Council. This includes the dedicated additional right-of-way as referred to in Section L, Item 6. The buffer may be disturbed only for utility connections, improvements to the drainage swale, the detention basin, and the emergency access, or as approved by City Council, and must meet the guidelines established in Section G, Item 3. Removal of plant materials in the buffer will be replaced with plant materials as specified in Section G.3.

3. If the existing vegetation buffer on Old Clarkson Road (beyond the dedicated right-of-way) cannot be preserved, a ten (10)-foot dense landscape strip shall be provided along Old Clarkson Road. To achieve this dense landscaping the following combination of plant material shall be used:
   a. Deciduous Trees
   b. Evergreen Trees
   c. Bushes and Shrubs

The plant material shall comply with the following:

a. Three (3) Deciduous trees per 100 feet, at 3 1/2 inch caliper
b. Six (6) Evergreen trees per 100 feet, at 10 foot in height
c. Eight (8) Bushes and Shrubs per 100 feet, at 18 inches in diameter

4. The installation of landscaping abutting Clarkson Road and Old Clarkson Road shall be scheduled to coordinate with the installation of utilities in order to screen the site. This activity shall take place in accordance with approval of the Tree Preservation Plan, Tree Removal Permits, and Grading Permits and shall be directed by the City of Chesterfield.

5. The existing fire access for Chesterfield Phase I must be replaced with the required landscape buffering when relocated.

6. If the estimated cost of new landscaping indicated on the Site Development Plan as required by the Planning Commission exceeds one thousand ($1,000) dollars, as determined by a plant nursery, the petitioner shall furnish a two (2) year bond or escrow sufficient in amount to guarantee the installation of said landscaping.

7. Prior to release of the Landscape Installation Bond/Escrow, a two (2) year Landscape Maintenance Bond/Escrow will be required.

H. SIGN REQUIREMENTS

1. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield Department of Public Works, and/or the St. Louis County Department of Highways and Traffic, Missouri Department of Transportation for sight distance considerations prior to installation or construction.

2. No advertising signs, temporary signs, portable signs, off site signs, or attention getting devices shall be permitted in this development.

3. All permanent freestanding business and identification signs shall have landscaping, which may include, but not be limited to, shrubs, annuals, and other materials, adjacent to the sign base or structural supports. This sign and landscaping shall be as approved by the Planning Commission on the Site Development Plan.

4. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code.

I. LIGHT REQUIREMENTS

1. Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.

2. The location and height of the light standards will be as approved by the Planning Commission.

3. Except for required street lighting, no source of illumination will be situated so that light is cast on any public right-of-way or adjoining property.

J. ARCHITECTURAL

1. The developer shall submit architectural elevations, including but not limited to, colored renderings and building materials. Architectural information is to be reviewed by the Architectural Review Board and the Planning Commission.

K. ACCESS/ACCESS MANAGEMENT

1. Streets and drives related to this development shall be designed and located in conformance with the Chesterfield Driveway Access Location and Design Standards, as originally adopted by Ordinance No. 2103 and as may be amended from time to time.

2. Permanent access to the site from Clarkson Road (State Rte. 340) shall be limited to one entrance. The entrance shall be aligned with Forest Meadows Drive as directed by the Missouri Department of Transportation and the City of Chesterfield Department of Public Works. Until the existing home on south side of the site is vacated and the permanent access constructed, a temporary entrance may be utilized as approved by the Missouri Department of Transportation and the City of Chesterfield Department of Public Works.

3. A gated temporary emergency access to the site shall be provided on Old Clarkson Road as directed by the City of Chesterfield and the Chesterfield Fire District. The location of the access shall be directed by the City Council, the City of Chesterfield, and the Chesterfield Fire Department. The temporary access shall be vacated at the time the parcels to the south (bounded by Clarkson Road, Old Clarkson Road, and this development) are developed. At that time, alternative gated emergency access only via Old Clarkson Road may be required as directed by the City of Chesterfield and the Chesterfield Fire District.

4. A cross access easement instrument shall be executed to allow for one point of access to the southern parcels from the main internal drive as directed by the City of Chesterfield.

5. No direct access to State Route 340 (Clarkson Road) and Old Clarkson Road will be allowed from this parcel. Access to the subdivision will be via Chesterfield Ridge Circle. Access for emergency vehicles will be allowed to Old Clarkson Road as directed by the appropriate Fire District and the City of Chesterfield.

6. The temporary turnaround at the end of the internal drive shall constructed as directed by the City of Chesterfield and the Chesterfield Fire District.

7. No lot shall be allowed direct access to Clarkson Road.

8. No lot shall be allowed direct access to Old Clarkson Road.

L. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

1. Construct a 10-foot wide median through the left turn lane of Clarkson Road (Rte. 340) in accordance with the Missouri Department of Transportation standards. The median shall connect to the existing median to the north and shall be continuous, except as necessary for turning movements, across the entire frontage of the site. The Developer will be responsible for the installation of a water tap so that an irrigation system may be installed at a later date. The median is to be backfilled with an approved topsoil and temporarily seeded as directed by the Department of Public Works. The City will be responsible for the installation of the irrigation system, permanent landscaping and future maintenance.

2. The plan indicates street grades in excess of the standard maximum of six percent (6%). If street grades in excess of six percent (6%) slope will be desired, steep grade approval must be obtained prior to Site Development Plan approval. In no case shall slopes in excess of twelve percent (12%) be considered.

3. Provide a street connection to the adjoining property to the south from the main street serving this development, as directed by the City of Chesterfield. In conformance with Section 1005.180 of the Subdivision Ordinance, any street connection that is stubbed for future extension shall be posted with signage indicating that the street is to be extended as part of future development. Said signage shall be posted within 30 days of the street pavement being placed. Signs on private streets shall be maintained and/or replaced by the developer until such time as all of the subdivision trustees are residents of the subdivision, at which time the trustees will be responsible. Signage on public rights of way shall be maintained by the developer until such time as the streets are accepted for maintenance by a governmental agency.

4. Provide a five (5) foot wide sidewalk, conforming to St. Louis County ADA standards, adjacent to Clarkson Road and along both sides of the proposed internal drive (as shown on the Preliminary Plan). Said sidewalk shall be constructed in such a way to preserve Tree No. 12 as delineated on the Tree Stand Delineation The sidewalk may be located within State right-of-way or within a six (6) foot wide sidewalk, maintenance and utility easement on the subject property.

5. The developer shall provide any additional right-of-way for Clarkson Road and construct any improvements as directed by the Missouri Department of Transportation and the City of Chesterfield.

6. The developer shall dedicate ten (10) feet of right-of-way along Old Clarkson Road in addition to the existing forty (40) foot wide right-of-way. The developer shall provide a special cash escrow in an amount equal to the City's estimated cost for a one (1) foot roadway widening, eight (8) foot wide shoulder and drainage improvements.

7. All roadway and related improvements shall be constructed prior to sixty-percent (60%) occupancy of the plat or phase.

8. Provide any additional right-of-way and construct any improvements to State Route 340 (Clarkson Road), as required by the Missouri Department of Transportation.

M. TRAFFIC STUDY

1. Prior to Site Development Plan approval, provide a traffic study, including internal and external circulation, for review, and approval, by the City of Chesterfield Department of Public Works, and the St. Louis County Department of Highways and Traffic.

N. POWER OF REVIEW

1. The City Council shall have automatic power of review and provide final approval of the site development plan.

O. STORMWATER AND SANITARY SEWER

1. Due to the inherent nature of development, the specific size, location, and configuration of the storm water infrastructure are conceptual in nature. The exact location, size, and type of each segment of storm water infrastructure are to be reviewed and approved in conjunction with the development of specific sites. It is expected, that developers will submit alternate plans, proposed alternative geometry, size, and type for these infrastructure improvements, along with supporting hydraulic computations. The Public Works Department will review said proposals for functional equivalence. Functional equivalence is said to be achieved

when, as determined by the Director of Public Works, the alternate proposal provides the same hydraulic function, connectivity, and system wide benefits without adversely affecting water surface profiles at other locations or adjacent properties.

2. The maintenance of the required storm water/ditch system shall be the responsibility of the property owner(s).

3. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate piped system. The adequacy and condition of the existing downstream systems shall be verified and upgraded if necessary.

4. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by the Department of Public Works.

5. Detention/retention is to be provided in each watershed as required by the City of Chesterfield. Detention of storm water runoff is required by providing permanent detention/retention facilities, such as dry reservoirs, ponds, underground vaults or other alternatives acceptable to the Department of Public Works. The maximum fluctuation from the permanent pool elevation to the maximum ponding elevation of a basin shall be three (3) feet, as directed. Wetland mitigation shall not be permitted within a detention/retention basin. The detention/retention facilities shall be operational prior to paving of any driveways or parking areas in non-residential developments or issuance of building permits exceeding sixty (60%) of the approved dwelling units in each plat, watershed or phase of residential developments. The location and types of detention/retention facilities shall be identified on the Site Development Plan.

   The lowest opening of all structures shall be set at least two (2) feet higher than the 100-year high water elevation in detention/retention facilities. All structures shall be set at least 30 feet horizontally from the limits of the 100-year high water.

P. ROADWAY IMPROVEMENTS AND CURB CUTS.

1. Obtain approval from the City of Chesterfield Department of Public Works and the St. Louis County Department of Highways and Traffic of the locations of proposed curb cuts, areas of new dedication, and roadway improvements.

2. Internal streets shall be constructed in accordance with Section 1005.180 of the Subdivision Ordinance of the City of Chesterfield.

3. If street grades in excess of six percent (6%) are desired, steep grade approval must be obtained. In no case shall slopes in excess of twelve percent (12%) be considered. Any request for steep street grades must include justification prepared, signed and sealed by a registered professional engineer and include plans, profiles, boring logs, cross-sections, etc in accordance with the Street Grade Design Policy. The justification should clearly indicate site conditions and alternatives considered. If steep grades are approved for this site, a disclosure statement shall be provided to all potential buyers and a note indicating that priority snow removal will not be given to this site shall be included on the Site Development Plan and Record Plat.

Q. GEOTECHNICAL REPORT.

1. Provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Public Works. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and Improvement Plans.

R. GRADING AND IMPROVEMENT PLANS.

1. A clearing/grading permit or improvement plan approval is required prior to any clearing or grading on the site. Be advised, the Site Development Plan and Tree Preservation Plan must be approved prior to issuance of a clearing and grading permit. No change in watersheds will be permitted. Interim storm water drainage control in the form of siltation control and/or siltation basins is required. A Stormwater Pollution Prevention Plan (SWPPP) must be submitted and approved by the Department of Public Works prior to any clearing, grading, and/or improvement plan approval. The SWPPP covers required erosion control practices specific to site conditions and maintenance and implementation, management and maintenance of the Best Management Practices (BMP's) in order to reduce the amount of sediment and other pollutants in stormwater discharges associated with land disturbance activities. It shall comply with the Missouri Water Quality Standards, and ensure compliance with the terms and conditions of the NPDES.

2. Erosion and siltation control shall be installed prior to any grading and be maintained throughout the project until acceptance of the work by the owner and/or controlling regulatory agency and adequate vegetative growth insures no future erosion of the soil. Construct temporary settlement basins during construction to allow for settling of sediment, prior to the discharge of stormwater from this site.

3. When clearing and/or grading operations are completed or suspended for more than thirty (30) days, all necessary precautions shall be taken to retain soil materials on site. Protective measures, such as permanent seeding, periodic wetting or other means, may be required by the Director of Public Works/City Engineer.

4. Provide adequate temporary off-street parking for construction employees and a vehicle washdown/cleaning area. Parking on non-surfaced areas is prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions. The contractor shall keep the roads in the area clear of mud and debris related to his construction at all times. The streets surrounding this development and any street used for construction access thereto shall be cleaned continuously throughout each day.

5. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual such as rye grasses or sudan grasses shall be utilized to retard erosion, if adequate stormwater detention and erosion control devices have not been established.

6. Prior to issuance of an occupancy permit, all disturbed areas shall be seeded and mulched at the minimum rates defined in Appendix "A" of the City of Chesterfield's "Model Sediment & Erosion Control Guidelines" or soded. A temporary occupancy permit may be issued by the Department of Planning in cases of undue hardship because of unfavorable ground conditions.

7. Prior to improvement plan approval, provide comments/approvals from the St. Louis County Department of Highways and Traffic, the Metropolitan St. Louis Sewer District, Missouri Department of Transportation, and the appropriate Fire District.

8. Be advised, this development may require a NPDES permit from the Missouri Department of Natural Resources. NPDES permits are applicable to construction activities that disturb five (5) or more acres.

9. Prior to improvement plan approval, copies of recorded easements, including book and page information, for off-site work shall be required.

10. No grading which results in a change in watersheds will be permitted.

11. If existing City maintained streets are to be used as construction access to this site, prior to approval of a grading permit or improvement plans, or any construction related traffic or delivery of any construction equipment to the site, the following items must be addressed:

a. The travel route must be approved by the Department of Public Works. No deviation from the approved route will be permitted.
b. An evaluation, including film record, of the current condition of the pavement on the approved travel route must be submitted.
c. An appropriate bond must be submitted, as approved by the City of Chesterfield, to ensure that any damage to existing pavement is repaired. Repair of damage to existing streets will not be included in the subdivision escrow; a separate bond must be established.
d. All plan sheets shall indicate that vehicle loads of construction traffic using this route are not to exceed 22,400 pounds axle load per 60,000 gross vehicle weight and that no tri-axle trucks are to be used. Weight tickets may be used to determine conformance with this requirement.
e. Additional protective measures, as deemed necessary by the Department of Public Works, may also be required.

12. Prior to grading permit or improvement plan approval, provide comments/approvals from the appropriate Fire District, the Missouri Department of Transportation, and the Metropolitan St. Louis Sewer District.

13. Prior to approval of a grading permit or improvement plans, copies of recorded easements, including book and page of record, for all off-site work and off-site areas inundated by headwater from on-site improvements must be submitted.

S. MISCELLANEOUS

1. During the Site Development Plan process, the Trustees of Old Clarkson Forest shall be notified of the Architectural Review Board and Planning Commission meeting dates.

2. The trustees of Old Clarkson Forest and Chesterfield Place should be notified prior to any blasting that may be required.

3. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.

   a. Sleeves for future telecommunication services are required to be installed adjacent and/or parallel to any proposed roadway, or other location as directed by the City of Chesterfield, in order to facilitate the installation of utilities and telecommunication infrastructure for current and future users.

II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT PLANS AND SITE DEVELOPMENT CONCEPT PLANS

1. TIME PERIOD FOR PLAN SUBMITTAL

   a. The developer shall submit a concept plan within eighteen (18) months of City Council approval of the Preliminary Development Plan. This requirement shall be accomplished prior to issuance of building permits.

   b. In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within eighteen (18) months of the date of approval of the Preliminary Development Plan by the City.

   c. Failure to comply with these submittal requirements will result in the expiration of the preliminary development plan and will require a new public hearing.

   d. Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.

   e. Where due cause is shown by the developer, this time interval for plan submittal may be extended through appeal to and approval by the Planning Commission.

III. COMMENCEMENT OF CONSTRUCTION

A. Substantial construction shall commence within two (2) years of approval of the site development concept plan or site development plan, unless otherwise authorized by ordinance. Substantial construction means final grading for roadways necessary for first approved plat or phase of construction and commencement of installation of sanitary storm sewers.

B. Where due cause is shown by the developer, the Commission may extend the period to commence construction for not more than one additional year.

IV. GENERAL CRITERIA-SITE DEVELOPMENT CONCEPT PLAN SUBMITTAL REQUIREMENTS

A. The Site Development Concept Plan shall include, but not be limited to, the following:

1. Outboundary plat and legal description of the property.

2. Density Calculations.

3. Zoning district lines and floodplain boundaries.

4. Location map, north arrow, and plan scale.

5. Conceptual location, and size, including height, of all proposed buildings, parking and loading areas, and lots.

6. Specific structure and parking setbacks along all roadways and property lines.

7. Parking calculations.

8. Provide the greenspace percentage for each lot on the plan.

9. Provide open space percentage.

10. Address trees and landscaping in accordance with the City of Chesterfield Code.

11. Provide a lighting plan in accordance with the City of Chesterfield Code.

12. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Ordinance.

13. Provide size and approximate location of existing and proposed internal and adjacent roadway, drives, major utility easements, necessary right-of-way dedications, road improvements, and curb cuts on and adjacent to property in question.

14. Provide location of curb cuts, necessary right-of-way dedication, road improvements, and driveways on opposite side of street.

15. Show existing and proposed contours at intervals of not more than two (2) foot, and extending one hundred fifty (150) feet beyond the limits of the site.

16. Show existing and proposed roadway, drives, and walkways on and adjacent to the property in question, including location of curb cuts, necessary right-of-way dedications and road improvements, and locations of the existing roads and driveways on the opposite side of the development.

17. Preliminary stormwater and sanitary sewer facilities.

18. The scale shall be no greater than one (1) inch equals one hundred (100) feet.

19. Show the location of significant natural features, such as wooded areas and rock formations that are to remain or be removed.

20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.

21. Provide comments/approvals from the St. Louis County Department of Highways and Traffic, the Metropolitan St. Louis Sewer District, Missouri Department of Transportation, and the appropriate Fire District.

V. GENERAL CRITERIA - SITE DEVELOPMENT SECTION PLAN SUBMITTAL REQUIREMENTS

A. In addition to the above referenced requirements, the Site Development Section Plan shall adhere to the following criteria:

1. Show location and size, including height above sea level, of all buildings, parking and loading areas, light standards, fencing, free-standing signs, trash enclosures, and all other above-ground structures, and landscaping.

2. Show confirmation of compliance with the sky exposure plan and height restrictions as set forth in this ordinance.

3. Show existing and proposed roadway, drives, and walkways on and adjacent to the property in question, including location of curb cuts, necessary right-of-way dedications and road improvements, and locations of the existing roads and driveways on the opposite side of the development.

4. Prior to plan approval depict existing and proposed improvements, easements, right-of-ways, and off-site easements and right-of-way required for proposed improvements within one hundred fifty (150) feet of the site as directed by the City of Chesterfield. Improvements include, but are not limited to, roadways and driveways adjacent to and across the street from the site, and significant natural features, such as wooded areas and rock formations, that are to remain or be removed.

5. Show the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to existing systems.

6. Show existing improvements and the locations of significant natural features, such as wooded areas and rock formations that are to remain or be removed.

7. The Site Development Plan and Tree Preservation Plan must be approved prior to any clearing or grading.

VI. GENERAL CRITERIA – SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

A. Site Development Plan shall include, but is not limited to, the following:

1. Outboundary plat and legal description of the property.

2. Density Calculations.

3. Zoning District lines and floodplain boundaries.

4. Location map, north arrow, and plan scale.

5. Conceptual location and size, including height, of all proposed buildings, parking and loading areas, and lots.

6. Parking calculations.

7. Specific structure and parking setbacks along all roadways and property lines.

8. Provide the greenspace percentage for each lot on the plan.

9. Provide open space percentage.

10. Address trees and landscaping in accordance with the City of Chesterfield Code.

11. Provide a lighting plan in accordance with the City of Chesterfield Code.

12. Provide Floor Area Ratio (F.A.R.)

13. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Ordinance.

14. Scale shall be no greater than one (1) inch equals one hundred (100) feet.

15. Confirmation of compliance with the sky exposure plan and height restrictions as set forth in this ordinance.

16. Size and approximate location of existing and proposed internal and adjacent roadway, drives, major utility easements, necessary right-of-way dedications, road improvements and curb cuts on and adjacent to property in question.

17. Show location of curb cuts, necessary right-of-way dedication, road improvements, and driveways on opposite side of street.

18. Show existing and proposed contours at intervals of not more than two (2) foot, and extending one hundred fifty (150) feet beyond the limits of the site.

19. Show existing and proposed roadway, drives, and walkways on and adjacent to the property in question, including location of curb cuts, necessary right-of-way dedications and road improvements, and locations of the existing roads and driveways on the opposite side of the development.

20. Show preliminary stormwater and sanitary sewer facilities.

21. Show the location of significant natural features, such as wooded areas and rock formations that are to remain or be removed.

22. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.

22. Provide comments/approvals from the St. Louis County Department of Highways and Traffic, the Metropolitan St. Louis Sewer District, Missouri Department of Transportation, and the appropriate Fire District.

23. Show location and size, including height above sea level, of all buildings, parking and loading areas, light standards, fencing, free-standing signs, trash enclosures, and all other above-ground structures and landscaping.

24. Show existing and proposed roadway, drives, and walkways on and adjacent to the property in question, including location of curb cuts, necessary right-of-way dedications and road improvements, and locations of the existing roads and driveways on the opposite side of the development.

25. Prior to plan approval; depict existing and proposed improvements, easements, right-of-ways, and off-site easements and right-of-way required for proposed improvements within one hundred fifty (150) feet of the site as directed by the City of Chesterfield. Improvements include, but are not limited to, roadways and driveways adjacent to and across the

street from the site, and significant natural features, such as wooded areas and rock formations, that are to remain or be removed.

26. Show the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to existing systems.

27. Show existing improvements and the locations of significant natural features, such as wooded areas and rock formations that are to remain or be removed.

28. The Site Development Plan and Tree Preservation Plan must be approved prior to clearing or grading.

VII. RECORDING

Within sixty (60) days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

XII. VERIFICATION PRIOR TO SPECIAL USE PERMIT ISSUANCE

Prior to any Special Use Permit being issued by St. Louis County Department of Highways and Traffic, a special cash escrow must be established with this Department to guarantee completion of the required roadway improvements.

IX. VERIFICATION PRIOR TO IMPROVEMENT PLAN APPROVAL

Prior to improvement plan approval, the developer will provide the following:

1. Provide comments/approvals from the St. Louis County Department of Highways and Traffic, the Metropolitan St. Louis Sewer District, Missouri Department of Transportation, and the appropriate Fire District and any other applicable agency as required by the Department of Planning.

2. Copies of recorded easements for off-site work, including book and page information, will be provided.

X. VERIFICATION PRIOR TO FOUNDATION OR BUILDING PERMITS

A. Subsequent to approval of the Site Development Plan and prior to the issuance of any foundation or building permit, the following requirements will be met:

1. Notification of Department of Planning

Prior to the issuance of foundation or building permits, all approvals from the above mentioned agencies and the City of Chesterfield Department of

Public Works, as applicable, must be received by the City of Chesterfield Department of Planning.

2. Notification of St. Louis County Department of Public Works

Prior to issuance of foundation or building permits, all approvals from the City of Chesterfield, the Department of Highways and Traffic and the Metropolitan St. Louis Sewer District must be received by the St. Louis County Department of Public Works.

3. Certification of Plans

Provide verification that construction plans are designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer will be required to sign and seal all plans with a certification that the proposed construction will be completed in accordance with the grading and soil requirements and conditions contained in the report.

XI. OCCUPANCY PERMIT/FINAL OCCUPANCY

a. The developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the outboundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the U.S. Public Land Survey Corners.

b. Prior to final occupancy of any building the developer shall provide certification by a Registered Land Surveyor that no U.S. Public Land Survey Corner has been disturbed during the construction activities or that it has been corrected and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program.

c. Prior to the issuance of any occupancy permit, floodplain management requirements shall be met.

d. All lots shall be seeded and mulched or sodded before an occupancy permit shall be issued, except that a temporary occupancy permit may be issued in cases of undue hardship because of unfavorable ground conditions. Seed and mulch shall be applied at rates that meet or exceed the minimum requirements stated in the Sediment and Erosion Control Manual.

XII. FINAL RELEASE OF ESCROW

Prior to the release of final escrow, the developer will provide certification by a Registered Land Surveyor that all monumentation depicted on the Record Plat has been installed and that the U.S. Public Land Survey Corners have not been disturbed during

the construction activities or that they have been corrected and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program.

All conditions of the Escrow as stated in the Escrow Agreement shall be met and approved by the Department of Public Works per the established Escrow Agreement.

XIII. GENERAL DEVELOPMENT CONDITIONS

A. General development conditions relating to the operation, construction, improvement and regulatory requirements to be adhered to by the developer are as follows:

1. The developer is advised that utility companies will require compensation for relocation of their utility facilities within public road right-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contributions. The developer should be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow occupancy prior to completion of road improvements.

2. Failure to comply with any or all the conditions of this ordinance shall be adequate cause for revocation of permits by issuing Departments and Commissions.

3. The City of Chesterfield, Missouri shall enforce the conditions of this ordinance in accord with the Site Development Concept Plan approved by the City of Chesterfield and any Site Development Section Plans approved by the City of Chesterfield.

4. Notice requirements set forth in Section 1003.410.2 of the Zoning Ordinance shall not apply to violations pursuant to this Attachment A.

5. Provide adequate off-street stabilized parking area(s) for construction employees and a washdown station for construction vehicles entering and leaving the site in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.

6. If cut or fill slopes in excess of the standard maximum of 3:1 horizontal run to vertical rise are desired, approval for the steeper slopes must be obtained from the Director of Public Works. Approval of steeper slopes is limited to individual and isolated slopes, rock dikes, undisturbed and stable natural slopes and slopes blending with the natural terrain. Design of the steep slopes must be performed by a registered professional engineer and include recommendations regarding construction methods and long-term maintenance of the slope. Any steep slope proposed on a Site Development Plan shall be labeled and referenced with the following note: *Approval of this plan does not constitute approval of slopes in excess of 3:1. Steep slopes are subject to the review and approval of the Director of Public Works. Review of the proposed steep slope will be concurrent with the review of the grading permit or improvement plans for the project.*

7. Soft soils in the bottom and banks of any existing or former pond sites or tributaries or any sediment basins or traps should be removed, spread out and permitted to dry sufficiently to be used as fill. This material shall not be placed in proposed public right-of-way locations or in any storm sewer location.

8. All fills placed under proposed storm and sanitary sewer lines and/or paved areas, including trench backfill within and off the road right-of-way, shall be compacted to ninety (90%) of maximum density as determined by the "Modified AASHTO T-180 Compaction Test" (ASTM D-1557) for the entire depth of the fill. Compacted granular backfill is required in all trench excavation within the street right-of-way and under all paved areas. All tests shall be performed concurrent with grading and backfilling operations under the direction of a geotechnical engineer who shall verify the test results.

9. Access/utility easements shall be required throughout the development. A continuous 15-foot wide rear yard easement shall be provided. At a minimum, a 10-foot wide utility/access easement shall be provided at every other lot line or break between structures, as directed.

10. Should the design of the subdivision include retaining walls that serve multiple properties, those walls shall be located within common ground or special easements, including easements needed for access to the walls.

11. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the Missouri Department of Transportation and the City of Chesterfield for sight distance considerations prior to installation or construction.

12. This development may require an NPDES permit from the Missouri Department of Natural Resources. NPDES permits are applicable to construction activities that disturb one (1) or more acres.

13. The detention lakes servicing Old Clarkson Forest and the tributary to Lieman Road are located adjacent to the proposed development which may, in the opinion of the Department of Public Works, be impacted by development of subject site. The Detention lake and tributary shall be in the same condition at the completion of development of subject site as pre-development. This condition is dependent on the ability of the developer to acquire necessary easements/agreements for pre and post condition surveys and restorative activities. Condition of the downstream area shall be determined by a pre-construction survey conducted prior to any clearing, grading or construction on the subject site. A copy of the pre-construction survey of downstream detention area shall be submitted to the City of Chesterfield, Department of Public Works prior to any clearing or grading on the site. Within twelve (12) months of the completion of the proposed development or two (2) years from the start of the development,

whichever is greater, a post-construction survey shall be made of the same downstream detention to determine condition of same. The developer shall be required to return surrounding downstream basin to pre-construction condition. A bond as approved by the Department of Public Works of the City of Chesterfield shall be posted to assure compliance with this condition.

14. Construction access shall be limited to Clarkson Road and vacated when construction is complete.

15. During the Site Development Plan process, the Trustees of Old Clarkson Forest shall be notified of the Architectural Review Board and Planning Commission meeting dates.

16. The trustees of Old Clarkson Forest and Chesterfield Place should be notified prior to any blasting that may be required.

17. The streets surrounding this development and any street used for construction access thereto shall be cleaned throughout the day. The developer shall keep the road clear of mud and debris at all times.

XIV. ENFORCEMENT

1. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Site Development Plan approved by the City of Chesterfield and the terms of this Attachment A.

2. Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of permits by issuing Departments and Commissions.

3. Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.

4. Waiver of Notice of Violation per the City of Chesterfield Code.

5. This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.