

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “NU” NON-URBAN DISTRICT TO AN “AG” AGRICULTURE DISTRICT FOR A 10.4 ACRE TRACT OF LAND LOCATED NORTH OF NORTH OUTER 40 ROAD APPROXIMATELY 6,600 FEET EAST OF THE INTERSECTION WITH BOONE’S CROSSING (P.Z. 03-2008 Chesterfield Valley Nursery {Walter E. Graeler})

WHEREAS, Walter E. Graeler has requested a change in zoning from a “NU” Non-Urban District to an “AG” Agriculture District for a 10.4 acre tract of land located north of North Outer 40 Road approximately 6,600 feet east of the intersection with Boone’s Crossing; and,

WHEREAS, a Public Hearing was held before the Planning Commission on March 10, 2008; and,

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

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 part thereof, are hereby amended by establishing an “AG” Agriculture District for a 10.4 acre tract of land located north of North Outer 40 Road approximately 6,600 feet east of the intersection with Boone’s Crossing and described as follows:

A tract of land in U.S. Survey 2031, Township 45 North – Range 4 East, St. Louis County, Missouri and being more particularly described as:

Beginning at the Northeast corner of property described in Parcel 3 of deed to Walter E. Graeler and Jo Ann Graeler recorded in Book 9049 page 1848 of the St. Louis County records, said point being also in the West line of property firstly described in Parcel 4 of said deed; thence Southwardly along the dividing line between property described in said Parcel 3 and property firstly described in said Parcel 4 of said Graeler deed South 0 degrees 32 minutes 00 seconds West 404.27 feet to a point being distant North 0 degrees 32 minutes 00 seconds East 909.60 feet from the intersection of said dividing line with the North right of way line of Interstate Highway 64, varying width; thence leaving said dividing line, North 89 degrees 28 minutes 00 seconds West 1239.40 feet to a point in the West line of property described in said Parcel 3 of said Graeler deed, said point being 18.00 feet perpendicularly distant East of the East line of Lot 7 of the James Long Estate; thence Northwardly along the West line of said Parcel 3, being also a line 18.00 feet East of and parallel to said East line of Lot 7 of the James Long Estate North 2 degrees 21 minutes 30 seconds West 370.20 feet to a point being distant South 2 degrees 21 minutes 30 seconds East 36.66 feet from the Northwest corner of said Parcel 3; thence South 86 degrees 33 minutes 45 seconds East 536.27 feet to a point; thence North 89 degrees 58 minutes 25 seconds East 303.86

feet to a point; thence North 79 degrees 12 minutes 34 seconds East 262.14 feet to a point in the North line of said Parcel 3; thence Eastwardly along said North line of Parcel 3, being also a South line of property described in deed to Clarkson Property Company recorded in Book 9307 page 1665 of the St. Louis County records North 87 degrees 57 minutes 30 seconds East 161.78 feet to the point of beginning and containing 10.377 acres according to calculations by Volz Incorporated on March 26, 2007.

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

Section 3. The City Council, pursuant to the petition filed by Walter E. Graeler, in P.Z. 03-2008, 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 the 10th day of March 2008, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

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

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

Passed and approved this _____ day of _____, 2008.

MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD: _____