

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “NU” NON-URBAN DISTRICT TO A “R2” RESIDENCE DISTRICT FOR A 5.23 ACRE TRACT OF LAND LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF SOUTH OUTER 40 ROAD AND SCHOETTLER ROAD (P.Z. 12-2011 CHURCH OF THE RESURRECTION {1330 SCHOETTLER ROAD}).**

**WHEREAS**, St. Charles Engineering and Surveying Inc., on behalf of Church of the Resurrection, has requested a change of zoning from an “NU” Non-Urban District to a “R2” Residence District for a 5.23 acre tract of land located at the southeast corner of the intersection of South Outer 40 Road and Schoettler Road; and,

**WHEREAS**, a Public Hearing was held before the Planning Commission on October 24, 2011; and,

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

**WHEREAS**, the Planning and Public Works Committee, having considered said request, recommended approval of the change of zoning request; and,

**WHEREAS**, the City Council, having considered said request, voted to approve the change of zoning request.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI AS FOLLOWS:**

**Section 1.** The City of Chesterfield Zoning Ordinance and the Official Zoning District Maps, which are a part thereof, are hereby establishing a “R2” Residence District for a 5.23 acre tract of land located at 1330 Schoettler Road and described as follows:

A tract of land being part of U.S. surveys 370, 1911, 1978 and fractional sections 10 and 15, township 45 north, range 4 east, St. Louis County, Missouri and being more particularly described as follows:

Beginning at the southernmost corner of a tract of land conveyed to the Church of the Resurrection by deed book 18405 page 3041 of the St. Louis County Recorder of Deeds office, said point also being in the eastern right-of-way line of Schoettler Road (variable width). Thence northwesterly along said right-of-way the following course and distances:

north 36 degrees 39 seconds 21 minutes west, a distance of 227.87 feet; thence north 53 degrees 25 minutes 56 seconds east, a distance of 22.58 feet; thence north 36 degrees 34 minutes 04 seconds west, a distance of 216.18 feet to a point of curvature to the right having a radius of 436.44 feet with a chord bearing of north 15 degrees 00 minutes 22 seconds west and a chord distance of 320.78 feet, a distance along the arc of 328.48 feet to a point. Said point being the intersection of the eastern right-of-way line of Schoettler Road (variable width) and the southern right-of-way line of Missouri State Highway 40 (variable width), thence along said Missouri State Highway 40 right-of-way the following course and distances; south 63 degrees 43 minutes 58 seconds east, a distance of 18.15 feet; thence south 76 degrees 20 minutes 48 seconds east, a distance of 253.41 feet; thence north 48 degrees 20 minutes 55 seconds east, a distance of 79.06 feet; thence south 76 degrees 20 minutes 48 seconds east, a distance of 52.49 feet to the northwest corner of Lot 2 of Hay Barn Lane Subdivision as recorded in plat book 179 page 77 of said County records. Thence leaving said Missouri State Highway 40 right-of-way and heading along the west line of said Lot 2 south 25 degrees 05 minutes 22 seconds west, a distance of 245.83 feet to a point; thence south 36 degrees 39 minutes 21 seconds east, a distance of 341.18 feet to an angle point in the west line of Lot 1 of said Hay Barn Lane Subdivision. Thence along the west line of said Lot 1 south 58 degrees 01 minutes 12 seconds west, a distance of 300.74 feet to the point of beginning. Containing 228,149.78 square feet or 5.23 acres more or less.

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

**Section 3.** The City Council, pursuant to the petition filed by Church of the Resurrection in P.Z. 12-2011 Church of the Resurrection (1330 Schoettler Road), 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 24<sup>th</sup> day of October 2011, 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 \_\_\_\_\_ day of \_\_\_\_\_, 2012

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

FIRST READING HELD: 2/22/2012