

**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, March 7, 2019 at 6:00 p.m. in the City Council Chambers at the City of Chesterfield City Hall, 690 Chesterfield Parkway West, Chesterfield, Missouri 63017.

The Board will consider the following:

B.A. 01-2019 1928 Mistflower Glen Court (Paul & Eleonore Eggers): A request for a variance from Plat One for Lot 6 of the Forest Meadows subdivision to maintain a rear yard setback of 10 feet in lieu of the 25-foot setback requirement. (19T320424)



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

Copies of the request are available for review at City Hall Monday through Friday, from 8:30 a.m. to 4:30 p.m. If you should need additional information about this project, please contact Jessica Henry, Assistant City Planner by telephone at 636-537-4741 or by email at jhenry@chesterfield.mo.us.

City of Chesterfield

Jessica Henry, AICP
Assistant City Planner



IV.A.



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

Board of Adjustment Staff Report

Variance Type: Area or Bulk

Meeting Date: March 7, 2019

From: Jessica Henry, AICP
Assistant City Planner

Location: 1928 Mistflower Glen Court

Applicant: Paul and Eleonore Eggers

Description: **B.A. 01-2019 1928 Mistflower Glen Court (Paul & Eleonore Eggers):** A request for a variance from Plat One for Lot 6 of the Forest Meadows subdivision to maintain a rear yard setback of 10 feet in lieu of the 25-foot setback requirement. (19T320424)

PROPOSAL SUMMARY

Paul and Eleonore Eggers are requesting a variance from the minimum rear yard setback requirement required for their property, Lot 6 of the Forest Meadows subdivision. The property owners are requesting a 10-foot rear setback in lieu of the required 25-foot rear setback in order to replace their existing deck with a screen room addition.

An application is attached to this report which includes an explanation of the above referenced request and statement of unnecessary hardship. Also attached for your reference is a copy of the Application for Municipal Zoning Approval, that was rejected by the Department of Planning and Development Services, and which includes letters of support from the neighboring property owners and photos of the subject site.

SITE HISTORY AND EXISTING CONDITIONS

The Forest Meadows subdivision was zoned "R-1" and "R-1A" Residence District with a Planned Environment Unit in 1983 via St. Louis County Ordinance 11,031, which was subsequently amended in 1985.

Forest Meadows Plat One, which includes the subject lot, was subsequently approved in 1984 and the existing home was constructed in 1985. The subject lot, Lot 6 has a 25-foot rear setback that is established off of a 70' wide reserve strip. This setback is maintained across the rear yards of all of the lots situated along Clarkson Road, as depicted by the red line in the excerpt from Plat One below.

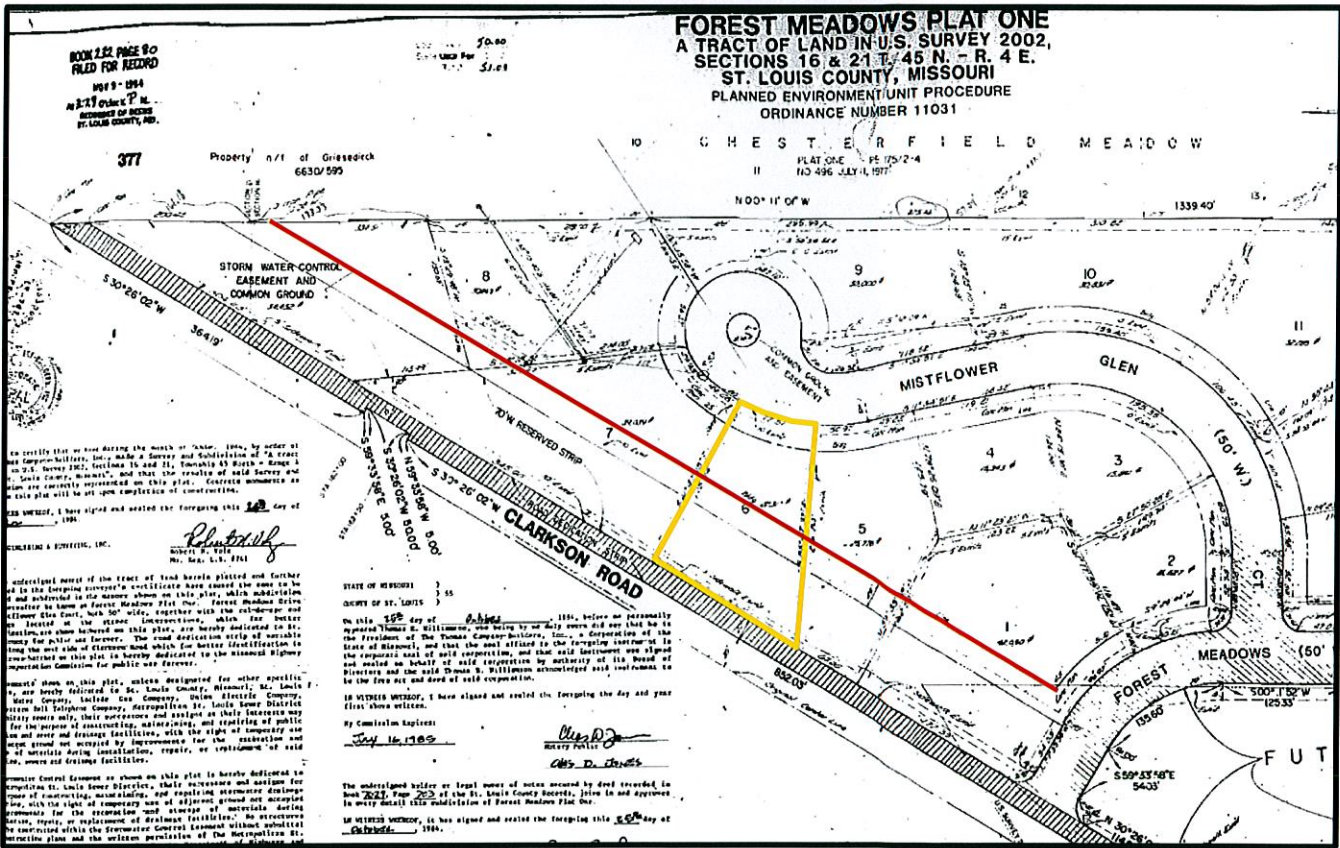
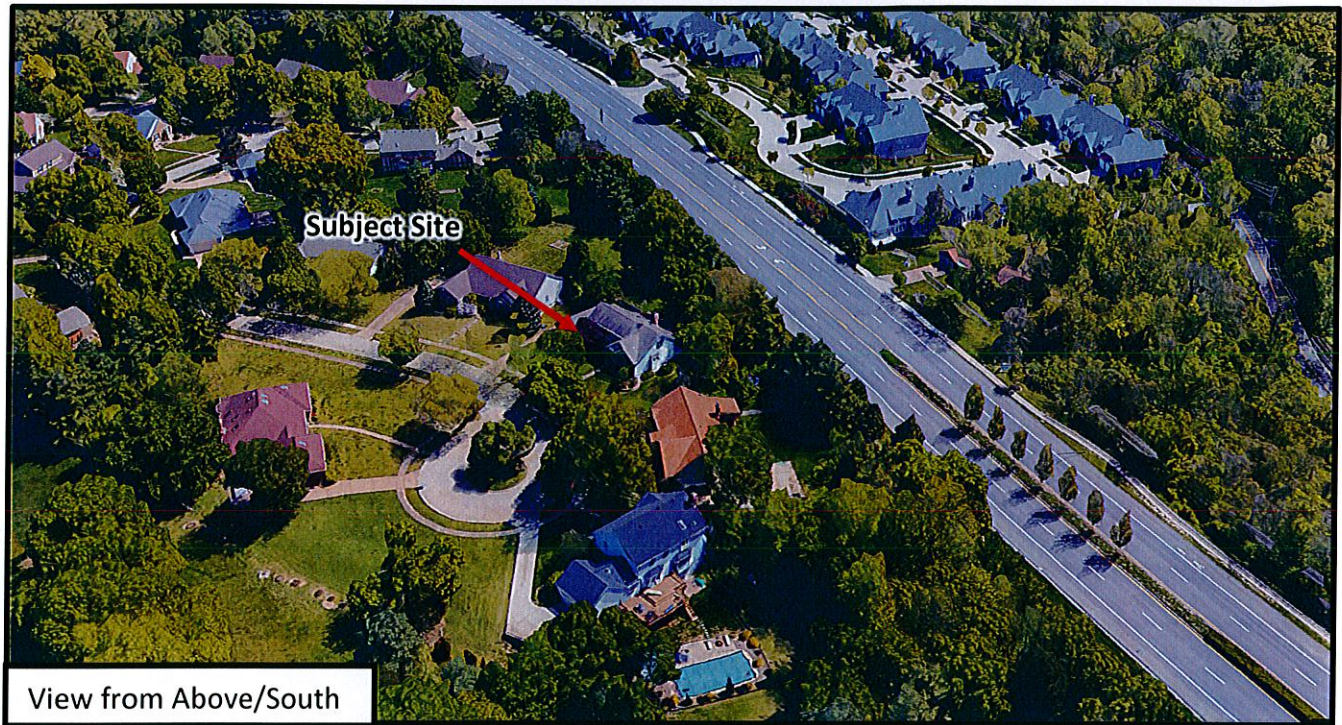


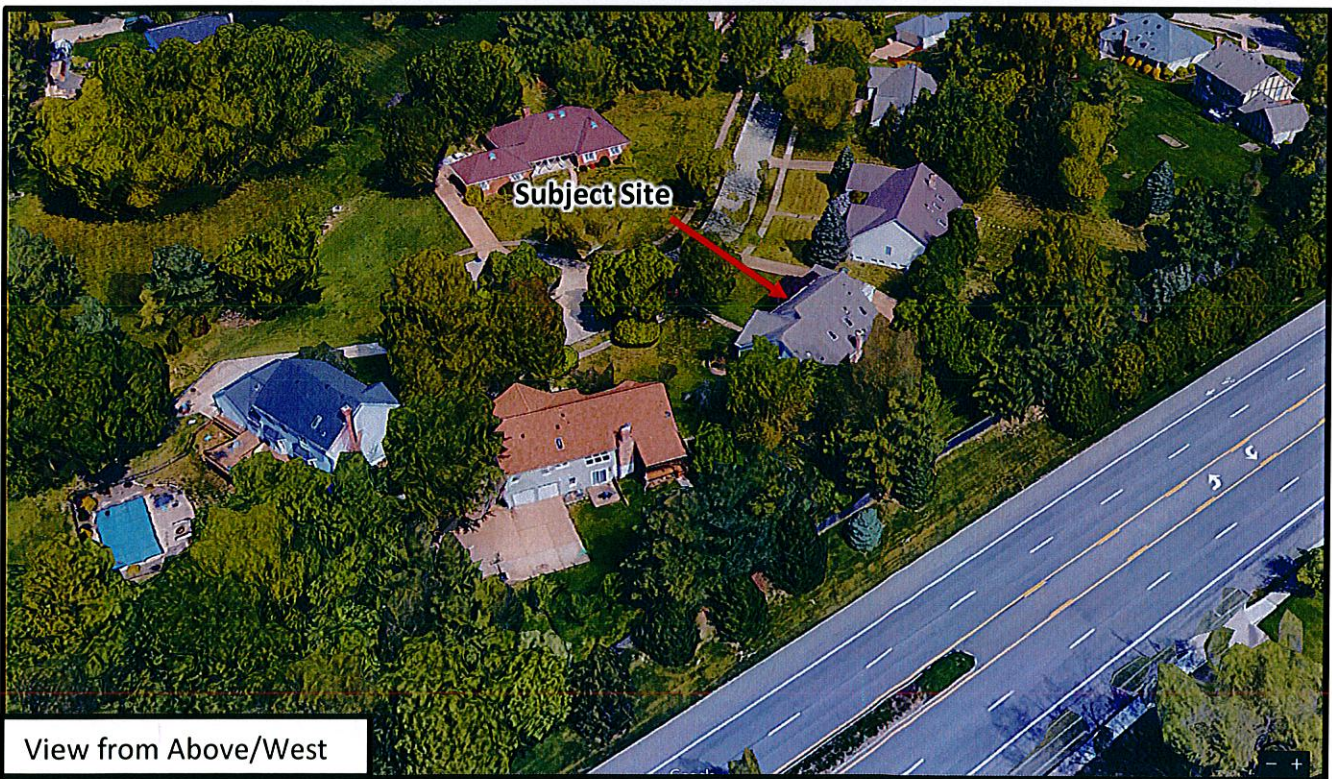
Figure 1: Excerpt from 1984 Record Plat

In January of 2019, a Municipal Zoning Approval Application was submitted to the Department of Planning and Development Services requesting to construct a new screened in porch on the subject site. The proposed construction showed an encroachment into the required rear yard setback and the request was therefore denied.



View from Above/South

Figure 3: Google Earth images showing subject property



View from Above/West

Figure 4: Google Earth images showing subject property

BOARD OF ADJUSTMENT POWERS AND RESPONSIBILITIES

In consideration of a request for a variance, the Board of Adjustment is required to follow Missouri State Statute and Chesterfield City Code requirements. 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”.

In determining if a practical difficulty or unnecessary hardship has been established by the Applicant, the Board must determine if relief is necessary due to an unusual or unique character of the property or lot. The burden of proving this is on the Applicant and 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).

APPLICANT REQUEST

The Applicant has provided a statement of hardship, practical difficulty, or other information warranting action by the Board for consideration. The Applicant has submitted position letters indicating support from adjoining property owners.

The Applicant is requesting a variance to maintain a 10-foot rear yard setback in lieu of the 25-foot rear yard setback requirement in order to accommodate the construction of a screen room addition.

REVIEW OF VARIANCE REQUEST

The Department of Planning and Development Services has reviewed the request and submits the following information for the Board’s consideration during review.

As established in Plat One of the Forest Meadows subdivision, a minimum 25-foot rear yard setback is required for Lot 6.

Chapter 89 of the Missouri Revised Statutes states, “In passing upon appeals, where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of such ordinance, to vary or modify the application of any of the regulations or provisions of such ordinance relating to the construction or alteration of buildings or structures or the use of land so that the spirit of the ordinance shall be observed, public safety and welfare secured and substantial justice done...” (emphasis added).

In reviewing the statement of practical difficulty, several factors are to be considered by the Board:

1. How substantial the variation is in relationship to the requirement. The requested variance would permit a screen room addition to encroach 15 feet into a 25-foot required yard setback.
2. The effect, if the variance is allowed, on available governmental facilities. No impact to governmental facilities is anticipated.
3. Whether a substantial change will be produced in the character of the neighborhood or substantial detriment to adjoining properties or neighbors. Position letters indicating support from the adjoining property owners have been provided.

4. Whether the difficulty can be obviated by some feasible method other than the variance. Review of the plot plan by Staff indicates that there is room to accommodate an addition with modifications to its shape or size.
5. Whether the interest of justice will be served by allowing the variance. The applicant has provided a statement of hardship/practical difficulty for the Board's consideration.

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. Copy of Recorded Record Plat
6. Petitioner's Application
 - a. Letters of Support from Adjacent Property Owners
 - b. Application to Board of Adjustment
 - c. Photos of subject site
 - d. Screen Room informational packet
 - e. Rejected Application for Municipal Zoning Approval
7. Findings of Fact and Conclusions of Law—Denial
8. Findings of Fact and Conclusions of Law—Approval

BOOK 232 PAGE 90
FILED FOR RECORD
NOV 9 - 1984
43.719 Check P.M.
RECORDERS OF DEEDS
ST. LOUIS COUNTY, MO.

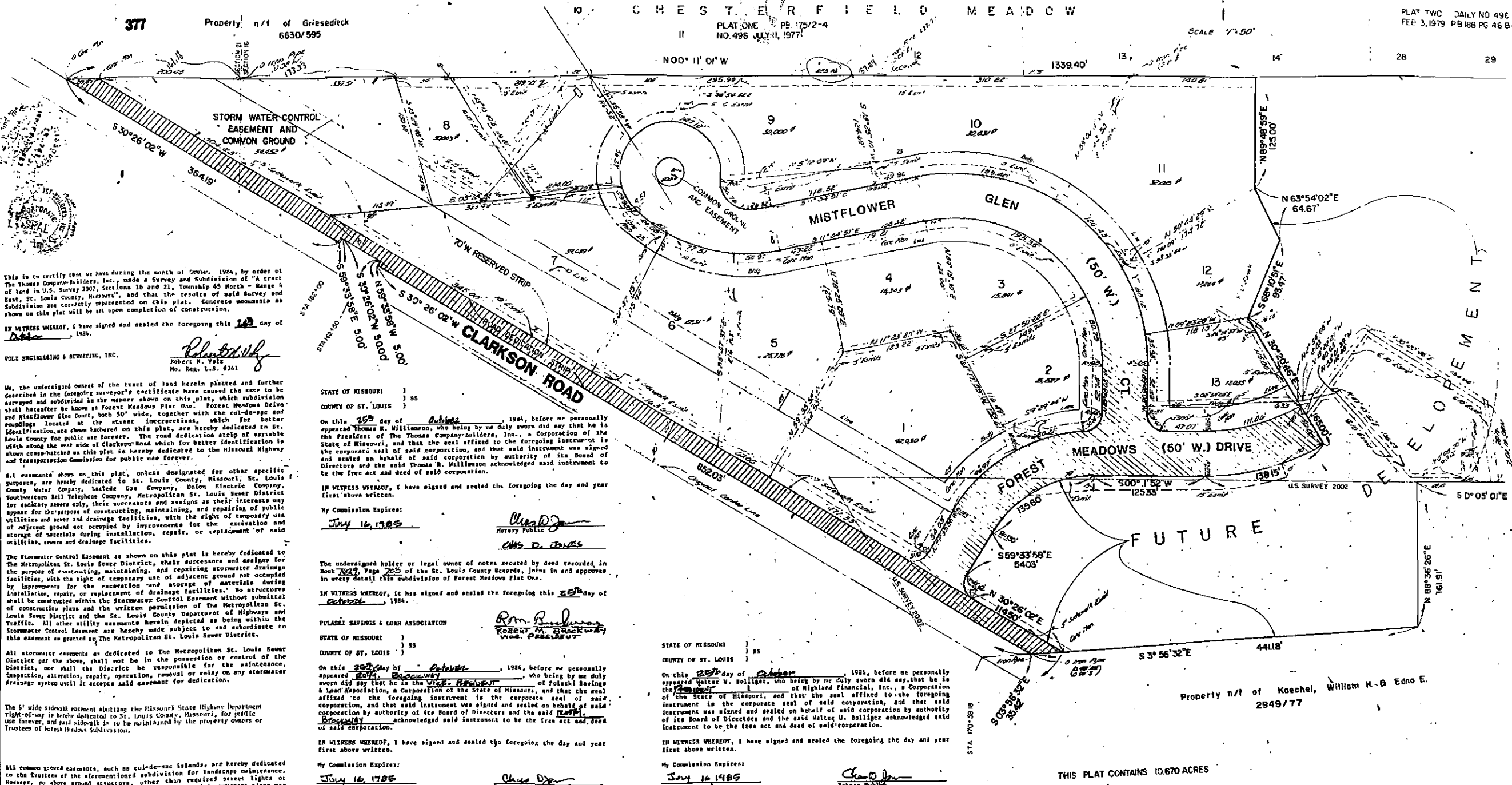
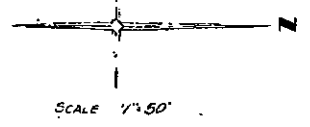
50.00
State Land Fee
51.01

FOREST MEADOWS PLAT ONE

A TRACT OF LAND IN U.S. SURVEY 2002,
SECTIONS 16 & 21 T. 45 N. - R. 4 E.
ST. LOUIS COUNTY, MISSOURI
PLANNED ENVIRONMENT/UNIT PROCEDURE
ORDINANCE NUMBER 11031

EXHIBIT
5

PLAT TWO DAILY NO 496
FEE 3,1979 PB 86 PG 46 B.47



This is to certify that we have during the month of October, 1984, by order of the Thomas Company-Builders, Inc., made a Survey and Subdivision of "A tract of land in U.S. Survey 2002, Sections 16 and 21, Township 45 North - Range 4 East, St. Louis County, Missouri", and that the result of said Survey and Subdivision are correctly represented on this plat. Concrete monuments as shown on this plat will be set upon completion of construction.

IN WITNESS WHEREOF, I have signed and sealed the foregoing this 16th day of October, 1984.

VOLZ ENGINEERING & SURVEYING, INC.
Robert H. Volk
Notary Public
No. Reg. U.S. #761

We, the undersigned owner of the tract of land herein platted and further described in the foregoing surveyor's certificate have caused the same to be surveyed and subdivided in the manner shown on this plat, which subdivision shall hereafter be known as Forest Meadows Plat One. Forest Meadows Drive and Mistflower Glen Court, both 50' wide, together with the cul-de-sac and roundabout located at the street intersections, which are better identified as shown hereon on this plat, are hereby dedicated to St. Louis County for public use forever. The road dedication strip of variable width along the east side of Clarkson Road which for better identification is shown cross-hatched on this plat is hereby dedicated to the Missouri Highway and Transportation Commission for public use forever.

All easements shown on this plat, unless designated for other specific purposes, are hereby dedicated to St. Louis County, Missouri; St. Louis County Water Company, Laclede Gas Company, Union Electric Company, Southwestern Bell Telephone Company, Metropolitan St. Louis Sewer District and other utility owners, their successors and assigns as their interests may appear for the purpose of constructing, maintaining, and repairing of public utilities and sewer and drainage facilities, with the right of temporary use of adjacent ground not occupied by improvements for the excavation and storage of materials during installation, repair, or replacement of said utilities, sewer and drainage facilities.

The Stormwater Control Easement as shown on this plat is hereby dedicated to the Metropolitan St. Louis Sewer District, their successors and assigns for the purpose of constructing, maintaining, and repairing stormwater drainage facilities, with the right of temporary use of adjacent ground not occupied by improvements for the excavation and storage of materials during installation, repair, or replacement of drainage facilities. No structures shall be constructed within the Stormwater Control Easement without the written permission of the Metropolitan St. Louis Sewer District and the St. Louis County Department of Highways and Traffic. All other utility easements herein depicted as being within the Stormwater Control Easement are hereby made subject to and subordinate to this easement as granted to the Metropolitan St. Louis Sewer District.

All stormwater easements as dedicated to the Metropolitan St. Louis Sewer District per the above, shall not be in the possession or control of the District, nor shall the District be responsible for the maintenance, suspension, alteration, repair, operation, removal or relay on any stormwater drainage system until it accepts said easement for dedication.

The 5' wide sidewalk easement abutting the Missouri State Highway hereon shown is hereby dedicated to St. Louis County, Missouri, for public use forever, and said sidewalk is to be maintained by the property owners or Trustees of Forest Meadows Subdivision.

All common ground easements, such as cul-de-sac islands, are hereby dedicated to the Trustees of the aforementioned subdivision for landscape maintenance. However, no above ground structures other than required street lights or other public utilities in accordance with the approved improvement plans may be constructed or installed within a cul-de-sac island without authorization by the St. Louis County Department of Highways and Traffic through the issuance of a Special Use Permit.

Building lines as shown on this plat are hereby established. This subdivision is subject to conditions and restrictions filed in Book 162, Page 76B of the St. Louis County Records.

It is hereby certified that all existing easements are shown on this plat as of the time and date of recording of this plat.

IN WITNESS WHEREOF, I have hereunto set my hand this 16th day of October, 1984.

THE THOMAS COMPANY-BUILDERS, INC.
Thomas R. Williamson
President

STATE OF MISSOURI)
COUNTY OF ST. LOUIS) SS

On this 16th day of October, 1984, before me personally appeared Thomas R. Williamson, who being by me duly sworn did say that he is the President of the Thomas Company-Builders, Inc., a Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and the said Thomas R. Williamson acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have signed and sealed the foregoing the day and year first above written.

My Commission Expires:
July 16, 1985
Notary Public
CHAS. D. JONES

The undersigned holder or legal owner of notes secured by deed recorded in Book 762, Page 76B of the St. Louis County Records, joins in and approves in every detail this subdivision of Forest Meadows Plat One.

IN WITNESS WHEREOF, I have signed and sealed the foregoing this 16th day of October, 1984.

PULASKI SAVINGS & LOAN ASSOCIATION
STATE OF MISSOURI)
COUNTY OF ST. LOUIS) SS

On this 16th day of October, 1984, before me personally appeared ROY BROCKWAY, who being by me duly sworn did say that he is the VICE-PRESIDENT of Pulaski Savings & Loan Association, a Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and the said ROY BROCKWAY acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have signed and sealed the foregoing the day and year first above written.

My Commission Expires:
July 16, 1985
Notary Public
CHAS. D. JONES

The undersigned holder or legal owner of notes secured by deed recorded in Book 762, Page 76B of the St. Louis County Records, joins in and approves in every detail this subdivision of Forest Meadows Plat One.

IN WITNESS WHEREOF, I have signed and sealed the foregoing this 16th day of October, 1984.

RICHARD E. CLARK, INC.
Richard E. Clark
Director of Planning
Walter U. Bolliger, President

STATE OF MISSOURI)
COUNTY OF ST. LOUIS) SS

On this 16th day of October, 1984, before me personally appeared Walter U. Bolliger, who being by me duly sworn did say that he is the President of Highland Financial, Inc., a Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and the said Walter U. Bolliger acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have signed and sealed the foregoing the day and year first above written.

My Commission Expires:
July 16, 1985
Notary Public
CHAS. D. JONES

This is to certify that this subdivision plat of Forest Meadows Plat One has been approved by the St. Louis County Council on this 16th day of November, 1984.

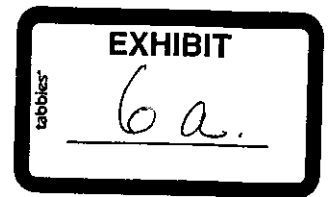
ST. LOUIS COUNTY DEPARTMENT OF PLANNING
Richard E. Clark
Director of Planning
Date: 11/16/84

THIS PLAT CONTAINS 10.670 ACRES

VOLZ ENGINEERING AND SURVEYING, INC.
ELBRING SURVEYING COMPANY
A SUBSIDIARY
LAND SURVEYORS - ENGINEERS - LAND PLANNERS
10849 INDIAN HEAD INDL. BLVD.
ST. LOUIS, MISSOURI 63132
PHONE 314-426-6212
84-1135

31

POOR ORIGINAL



January 16, 2019

To: Board of Adjustment
City of Chesterfield

From: William and Deborah Buffa
1933 Mistflower Glen Ct.
Chesterfield, MO 63005

To Whom It May Concern:

We are writing a letter in support of our neighbors, Paul and Ellie Eggers, for the building of a screened in porch in the rear of their home at 1928 Mistflower Glen Ct. From our understanding, this porch would be approximately 20' x 20' and will be screen in. Firstly, they back to Clarkson Road...there really should be no issues with that. A screened in porch would not be unsightly and would improve the looks of the yard and rear of the home. As a licensed Realtor, I can assure you that a screened in porch will add to the value of this home. We are original homeowners and have had the Eggers as our neighbors for many years. Anything they have is always done to the betterment of the neighborhood and is always quality work. Please allow them to build this screened in porch.

Sincerely,

Bill and Debby Buffa
314-825-8365

Board of Adjustment

Cheryl Moshiri <cherylmoshiri@gmail.com>

Wed 1/23/2019, 2:37 AM

To: Ellie Eggers <emse04@hotmail.com>

To Whom it May Concern,

I am writing in support of my neighbors the Eggers in regard to the screened in porch project they have planned for their home. We are located directly beside them and have no issues with the sight line variance. It does not impede our view or create an unsightly view. We feel that this addition can't do anything but improve home values in the immediate vicinity of their house.

Please consider our opinion as direct neighbors in favor of this home improvement.

Feel free to reach out to us with any questions or concerns.

Sincerely,

Fred and Cheryl Moshiri
1922 Mistflower Glen Ct, Chesterfield, MO 63005
602-793-3995
636-345-1147

January 21, 2019

Board of Adjustment
690 Chesterfield Parkway W.
Chesterfield, MO 63017

To Whom It May Concern:

We are neighbors of Ellie and Paul Eggers. They have petitioned your Board to build a 20'x 20' screened porch addition on the back of their house. As their neighbors, we hope you will approve the screened porch. We believe this addition will increase the value of their home and be aesthetically pleasing. We have lived in this neighborhood for a long time and have no objections to this home improvement project and hope that you approve it without further delay.

Respectfully,

Handwritten signature of Karin E Bentele and Doug Bentele. The signature is written in black ink and includes a horizontal line extending to the right.

Karin and Doug Bentele
1940 Mistflower Glen Ct.
Chesterfield, MO
63005



City of Chesterfield

RECEIVED

JAN 25 2019

City of Chesterfield
Department of Public Services

01-25-19 P02:27 IN

DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

BOARD OF ADJUSTMENT APPLICATION

EXHIBIT

66

The Board of Adjustment is a local body consisting of volunteers appointed by the Mayor who hears requests for variances and appeals of administrative determinations. A variance is a deviation from the zoning ordinance requirements for a specific parcel. The types of variances heard before the Board of Adjustment are Use, Area, and Bulk Variances. A variance is granted only upon demonstration of a hardship such as lot size, topography, or other issues not created by the lot owner. For questions about this application, please contact the Department of Planning & Development Services at 636-537-4746. For information about this and other projects under review by the Department, please visit "Active Developments" at chesterfield.mo.us/active-developments.html

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

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

Use variance: A request to allow deviation for the permissible uses of a zoning district.

Sign variance: A request to allow deviation from dimensional/quantity regulations

Appeal of Administrative Determination

Please note: Areas in gray will be completed by the Department of Planning & Development Services.

STATE OF MISSOURI

BOA NUMBER _____

HEARING DATE _____

CITY OF CHESTERFIELD

Petition for Appeal from Zoning Regulations

I. APPLICANT INFORMATION

Owner(s) of record of the hereinafter described property according to St. Louis County Assessor

Record: Paul M and Eleonore M Eggers

Address: 1928 Mistflower Glen Ct

City: Chesterfield

State: MO

Zip: 63005

Tel.: 636-778-6289

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.)

690 Chesterfield Parkway West, Chesterfield, MO 63017-0760
Ph. (636)537-4746 Fax (636)537-4798 www.chesterfield.mo.us

II. PROPERTY INFORMATION

Project Address: 1928 Mistflower Glen Ct 63005

Locator Number(s): 19T320424

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

Acreage: .36 (To the nearest tenth of an acre)

Subdivision Name (If applicable): Forest Meadows

Current Zoning District:

Legal Description of Property:

LOT PT 6

(Attach additional sheets as necessary)

III. NATURE OF REQUEST FOR VARIANCE

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

Triangular shaped lot. Backs to Clarkson Road.

(Attach additional sheets as necessary)

Description of the necessity of the proposed improvement:

Ordinance Number and section to which a variance is sought:

(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

Statement of unnecessary hardship, practical difficulty or other information warranting action by the Board:

Our old deck which was 20' by 40' and is shown in the survey was torn down in September 2018. When it was removed, it exposed old siding that does not match the newer siding as the siding was only replaced above the deck. I have included pictures for your review. The siding is no longer made so we plan to use the siding that would be within the screened porch area to replace the missing siding. Replacing the entire homes siding would be very costly and certainly an unnecessary hardship.

On a personal level, I (Ellie Eggers) was diagnosed with Alpha-gal, which is a tick borne illness, in July 2018. This illness has caused me to be allergic to all mammal meats (beef and pork, etc), dairy, and many other foods and products that are made or processed with mammal ingredients. My favorite thing to do before Alpha-gal was go hiking. Due to the nature of this illness, I no longer hike and look forward to being in a screened porch where I can enjoy the outdoors without the threat of ticks or mosquitos. Additionally, cross contamination and fume reactions have taken away my ability to eat at restaurants. With a screened-in porch I will be able to sit outside with my family on a beautiful day and enjoy the meals that I must prepare myself.

A portion of our proposed porch which is 20' x 20' is just outside the build line shown on the survey. This porch will only be half the size of the deck it is replacing. The screened porch is right in the middle of our property and does not obstruct our neighbors views. The porch would not be seen from the front of the house and our home backs to Clarkson so there are no neighbors behind our home. We have a double layer privacy fence on the Clarkson side of our house so the screened porch would not even be viewed from Clarkson.

Due to the fact that our project will not negatively affect our neighbors and would certainly offer me a better quality of life, I hope that you will consider our request for this variance. Thank you for your time and consideration.

(Attach additional sheets as necessary)

Description of the effect or impact on neighboring properties:

No impact on any neighbors.

(Attach additional sheets as necessary)

For Area or Bulk Variance Requests, complete the following section:

A. Setbacks/Height:

	The Petitioner(s) request the following setback(s):	City of Chesterfield Regulations require the following setback(s) for this site:
Front Yard:	_____	_____
Side Yard:	_____	_____
Rear Yard:	ENCROACH APPROX. 15' INTO 25' REAR BLDG SETBACK	_____
Height:	_____	_____

Provide the following:

1. A \$70.00 fee. (Checks/money orders to be made payable to the City of Chesterfield)
2. Two completed copies of this application with original signatures. *Please note: A copy with the Chairman's signature and the Board's decision will be returned to you.*
3. Seventeen (17) copies of the following for inclusion in the packet:
 - A site 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.
 - Copies of the completed application.
 - The City of Chesterfield rejection or denial.
 - Any other information as required by the City of Chesterfield

For Sign Variance Requests, complete the following section:

B. Signage:

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

**City of Chesterfield
Regulations allow the
following for this site:**

**Number of attached business
signs:** _____

**Size of attached business
signs:** _____

**Number of freestanding
business signs:** _____

**Size of freestanding business
signs:** _____

Explain why the sign variance request would not cause a public health or safety concern to the neighborhood or the public welfare.

Provide the following:

1. A \$70.00 fee. (Checks/money orders to be made payable to the City of Chesterfield.)
2. Two completed copies of this application with original signatures. *Please note: A copy with the Chairman's signature and the Board's decision will be returned to you.*
3. Seventeen (17) copies of the following for inclusion in the packet:
 - 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).
 - 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.
 - Letters from abutting property owners stating their position.
 - Copies of the completed application.
 - The City of Chesterfield rejection or denial.
 - Any other information as required by the City of Chesterfield

**690 Chesterfield Parkway West, Chesterfield, MO 63017-0760
Ph. (636)537-4746 Fax (636)537-4798 www.chesterfield.mo.us**

IV. 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]

V. STATEMENT OF CONSENT

STATEMENT OF CONSENT

I hereby give CONSENT to LAKESIDE EXTERIORS (type, stamp or print clearly full name of agent) to act on my behalf to submit 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 and I have an ownership interest and/or am the owner under contract in 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 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 understand this application, related material and all attachments become official records of the City of Chesterfield, Missouri, and will not be returned. 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)

Paul and Eleonore Eggers

(Name- type, stamp or print clearly)

*Paul Eggers
Eleonore Eggers*

(Signature)
1928 Mistflower Glen Ct
Chesterfield, MO 63005

(Address, City, State, Zip)

(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 7 day of Feb 20 19.

Signed Deborah Meagan Shepherd Print Name: Deborah Meagan Shepherd
Notary Public

Seal/Stamp:

My Commission Expires: 12-7-20

DEBORAH MEAGAN SHEPHERD
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Louis County
My Commission Expires: December 07, 2020
Commission Number: 16390638

**VII. CITY OF CHESTERFIELD
LIENS AND FINES CERTIFICATION**

Project Name: _____ **Ward:** _____
Address: _____ **Locator:** _____

STATE OF MISSOURI, CITY OF CHESTERFIELD

I do hereby certify to the Council of the City of Chesterfield that:

___ There are no fines and/or liens of record on the property by or owed to the City of Chesterfield.

___ There are the following fines and/or liens owed to the City of Chesterfield:

1. _____
2. _____
3. _____
4. _____
5. _____

Finance Director
City of Chesterfield

Date

[THIS PAGE FOR INTERNAL USE]

STAFF / BOA USE ONLY

Intake Date: _____

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

Signed: _____

Chairman

[THIS PAGE FOR INTERNAL USE]

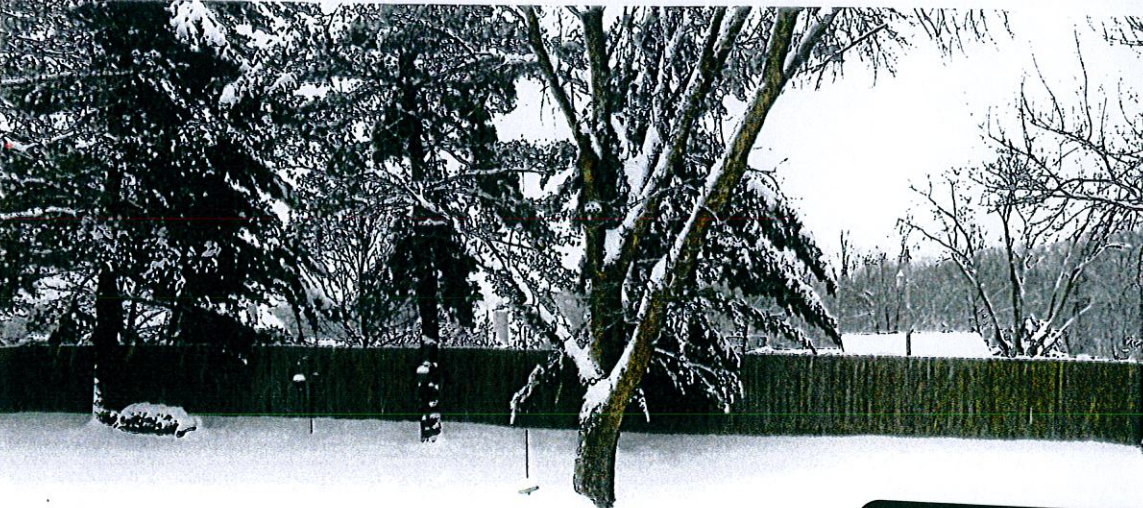


EXHIBIT
tabbles
6c.





Screen Room Project For: Ellie Eggers 1928 Mistflower Glen Ct. Chesterfield MO 63005

Google Maps 139 Chesterfield Industrial Blvd to 1928 Mistflower Glen Ct

Drive 5.8 miles, 9 min



139 Chesterfield Industrial Blvd
Chesterfield, MO 63005

Continue to I-64 E

- ↑ 1. Head north on Chesterfield Industrial Blvd 2 min (0.8 mi)
- ↘ 2. Turn right onto Chesterfield Airport Rd 0.2 mi
- ↙ 3. Turn left onto Long Rd/Missouri CC 0.2 mi
- 0.4 mi

Follow I-64 E to Wild Horse Creek Rd. Take exit 19B from I-64 E

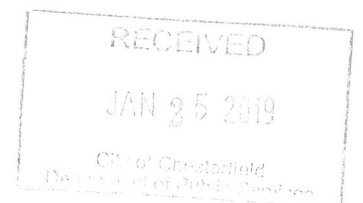
- ↗ 4. Merge onto I-64 E 3 min (3.2 mi)
- ↘ 5. Take exit 19B for MO-340 toward Olive Blvd/Clarkson Rd 3.1 mi
- 0.1 mi

Take Clarkson Rd to Mistflower Glen Ct

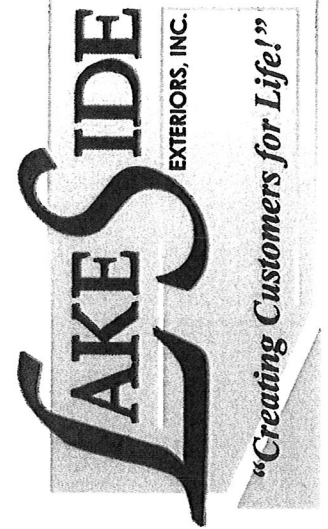
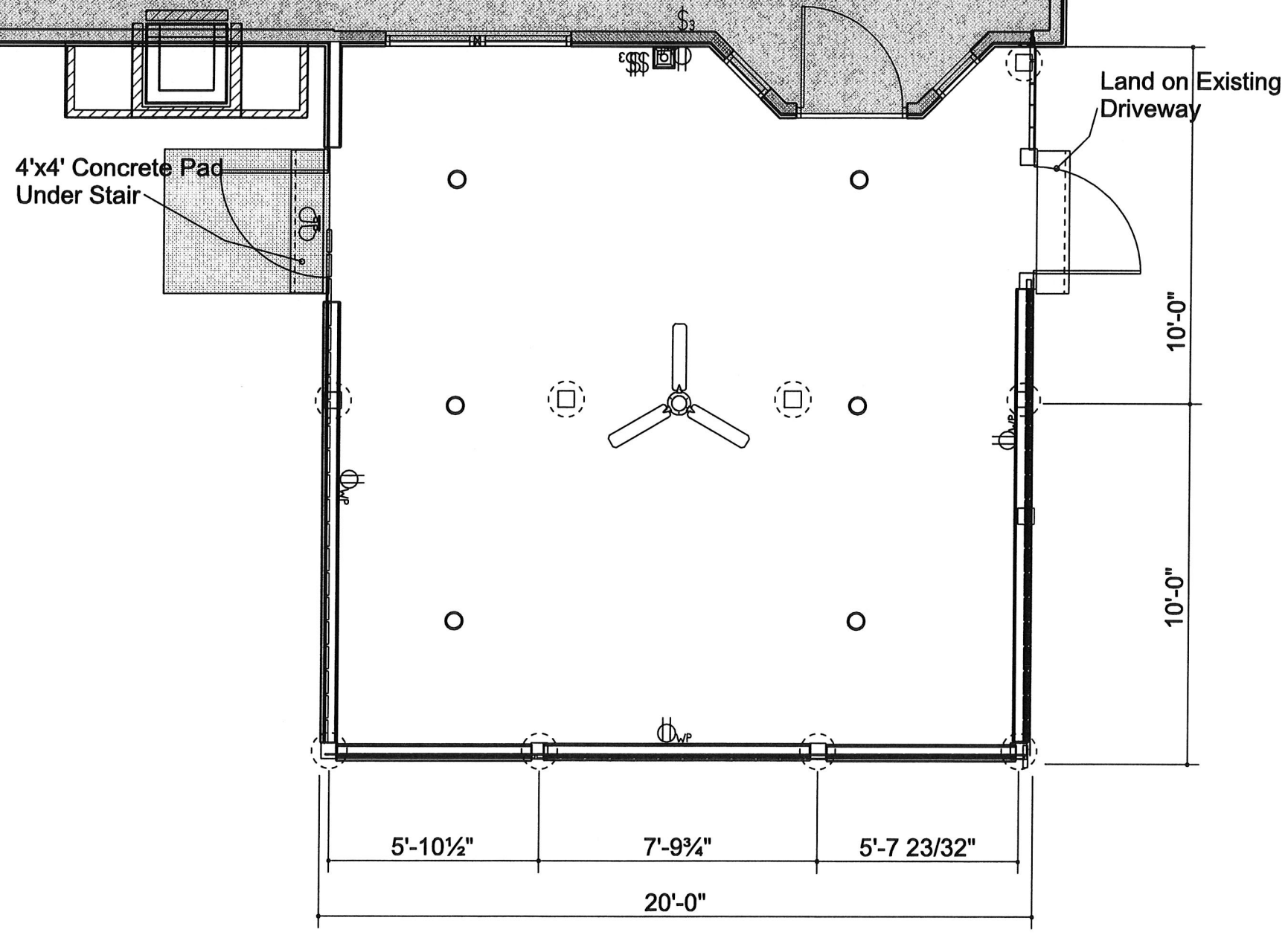
- ↗ 6. Merge onto Wild Horse Creek Rd 4 min (1.8 mi)
- ↘ 7. Turn right onto Clarkson Rd 0.3 mi
- ↘ 8. Turn right onto Forest Meadows Dr 1.3 mi
- ↙ 9. Turn left onto Mistflower Glen Ct 305 ft
- 0.1 mi

1928 Mistflower Glen Ct
Chesterfield, MO 63005

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.



Screen Room Layout
SCALE: 1/4" = 1'-0"



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Plans Prepared By Non
Licensed Professional

DRAWN BY: Dave Williams
PAGE: Screen Room Layout
DATE: Friday, January 25, 2019

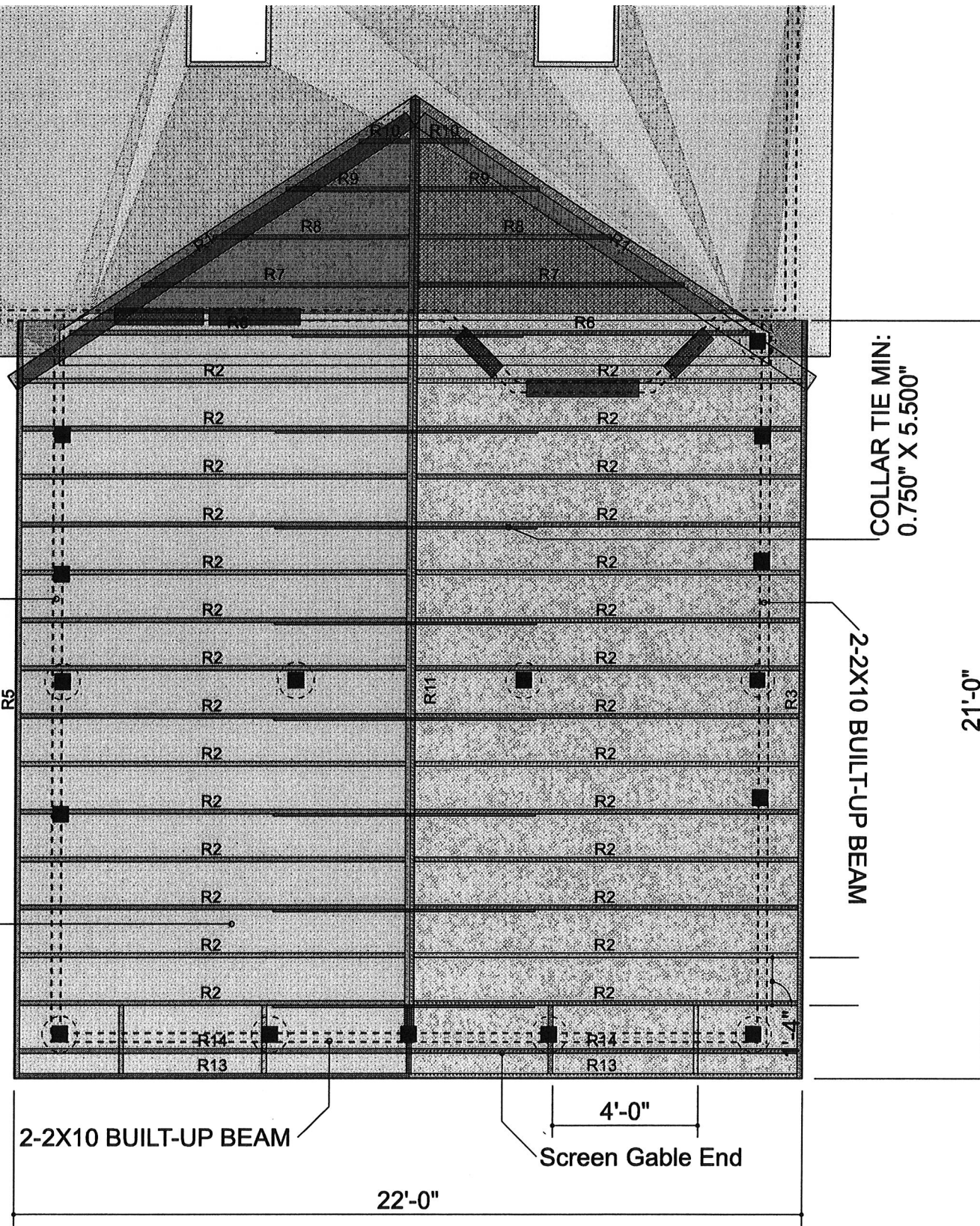
PAGE: 2 / 12

Roof Layout
SCALE: 1/4" = 1'-0"

ROOF FRAMING SCHEDULE			
FRAMING ID	WIDTH	DEPTH	COUNT
R1	6"	2"	2
R2	2"	6"	28
R3	2"	6"	1
R5	2"	6"	1
R6	2"	6"	2
R7	2"	6"	2
R8	2"	6"	2
R9	2"	6"	2
R10	2"	6"	2
R11	3"	14"	1
R13	2"	6"	2
R14	2"	6"	2

T&G Ceiling Non Groove Side Out

2-2X10 BUILT-UP BEAM



COLLAR TIE MIN:
0.750" X 5.500"

2-2X10 BUILT-UP BEAM

21'-0"

2-2X10 BUILT-UP BEAM

4'-0"
Screen Gable End

22'-0"



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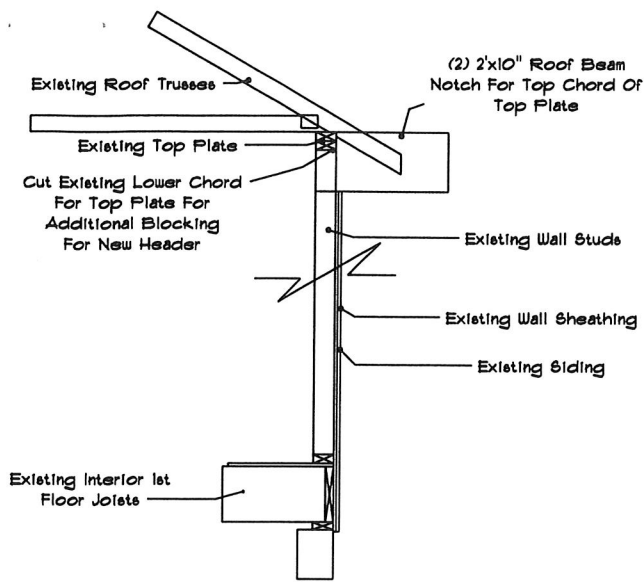
DRAWN BY: Dave Williams

PAGE: Roof Layout

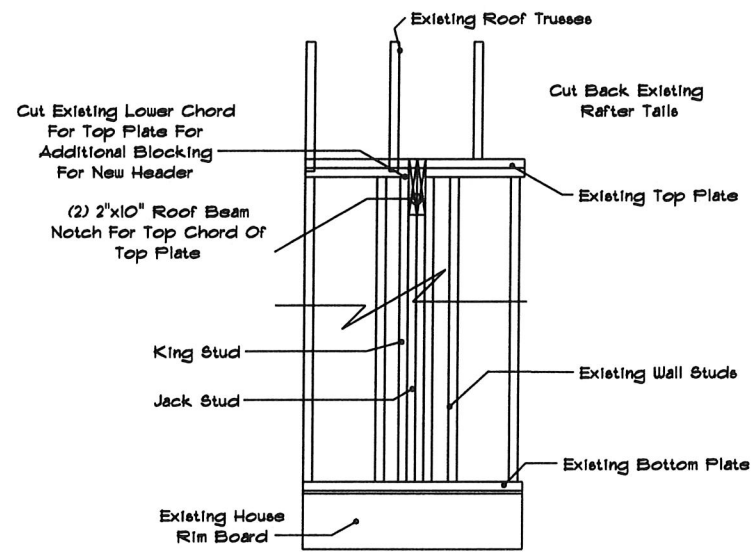
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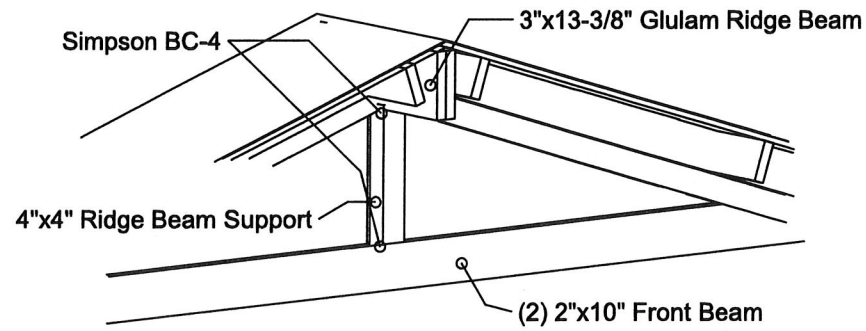
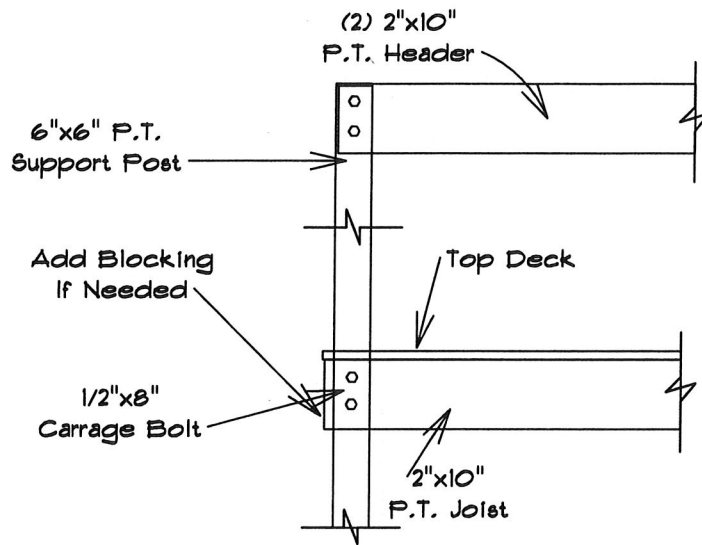
3 / 12



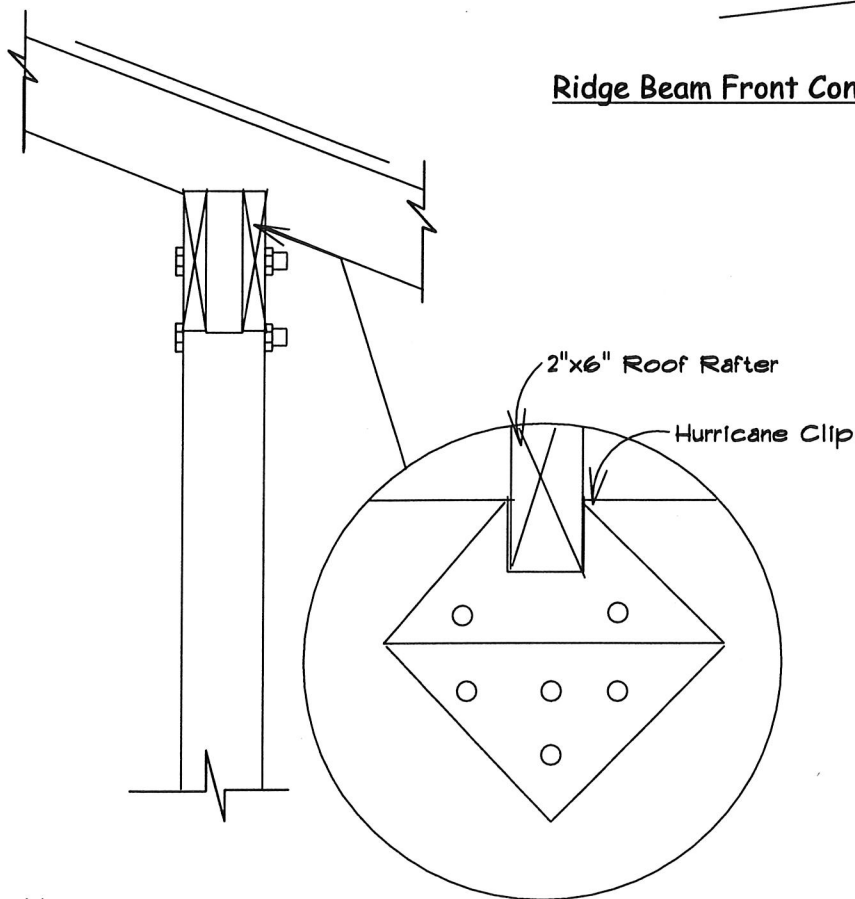
Roof Beam Connection House 1 Story



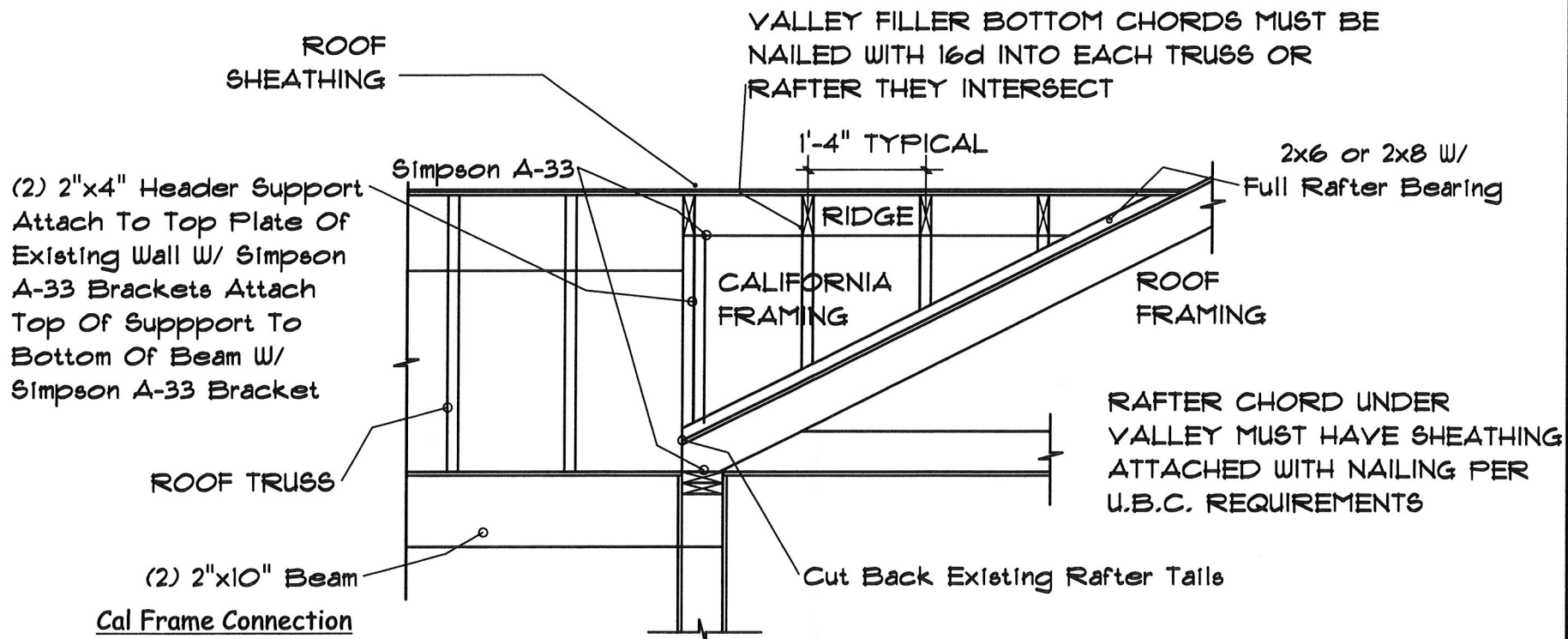
Roof Header to Corner Post



Ridge Beam Front Connection

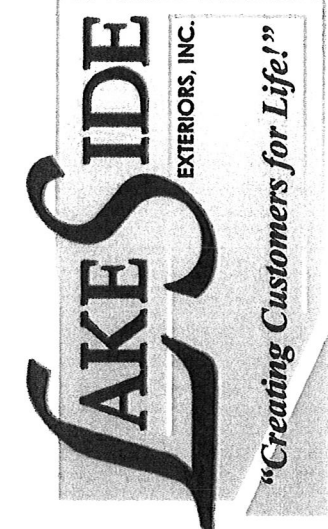


Hurricane Ties



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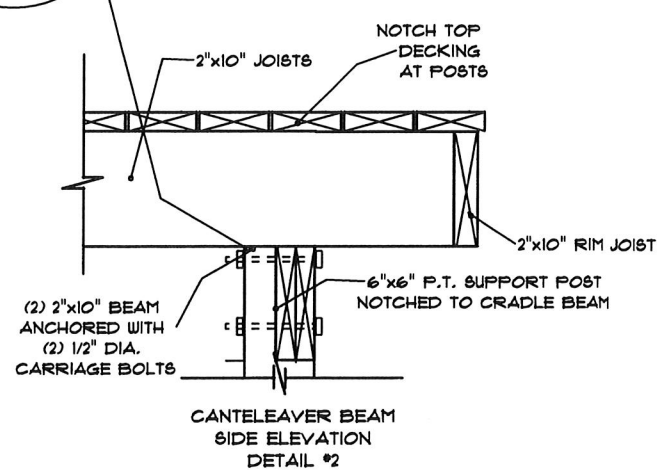
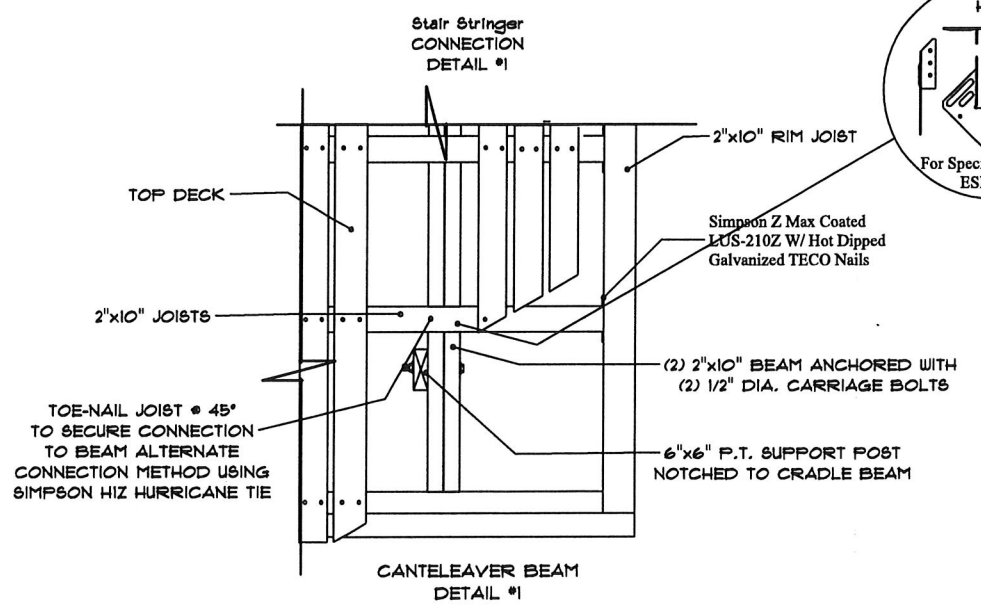
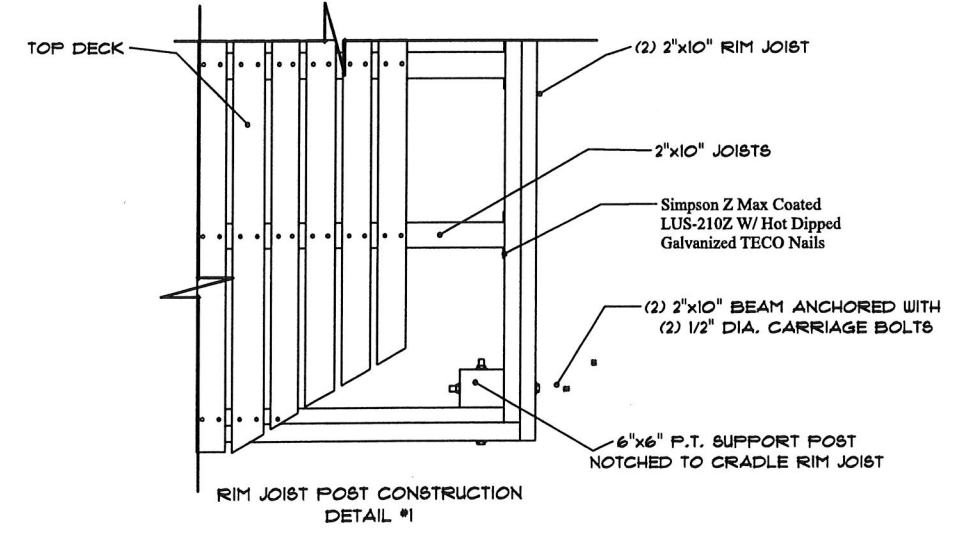
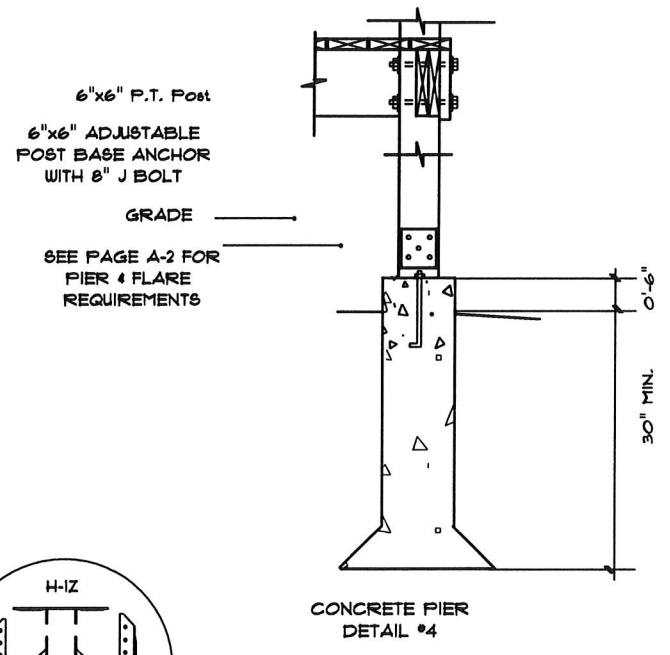
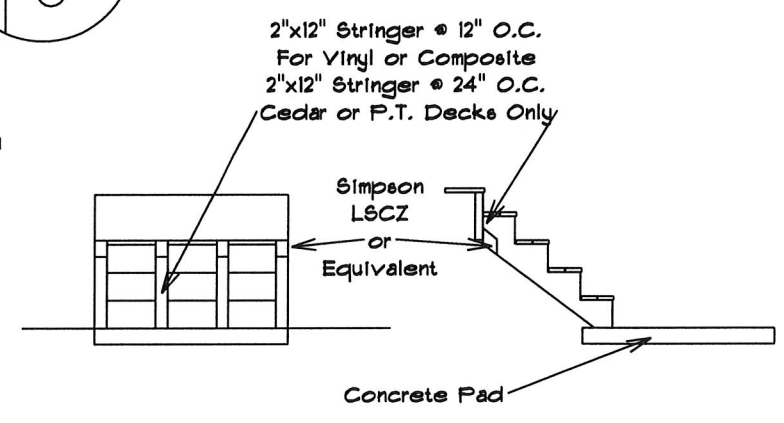
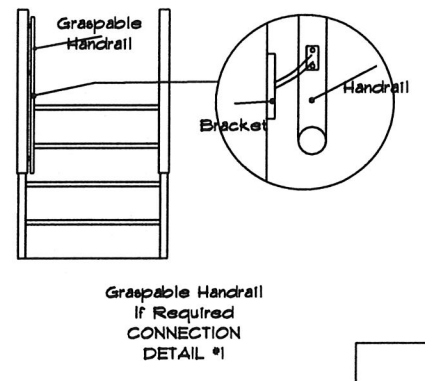
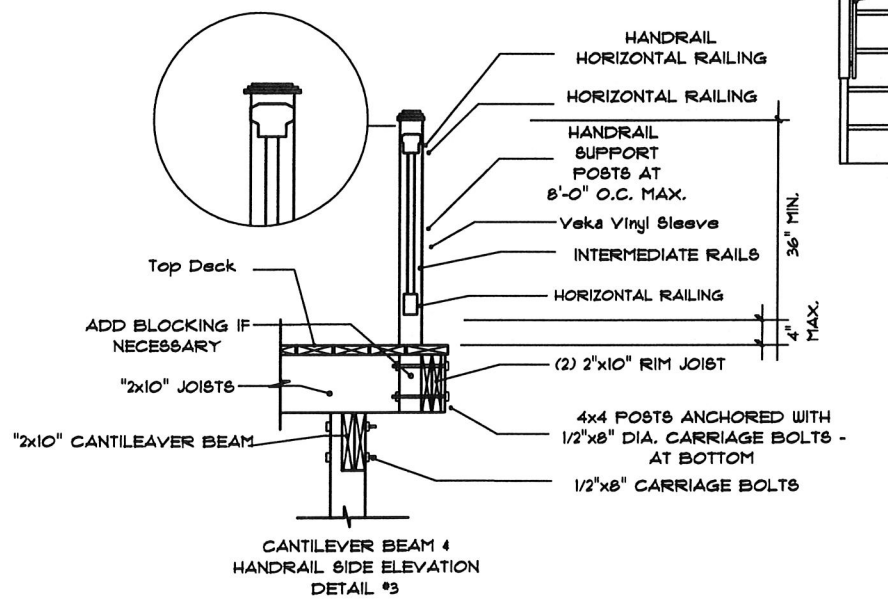
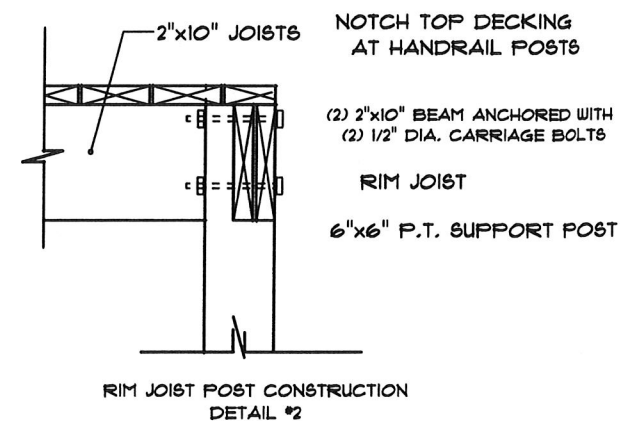
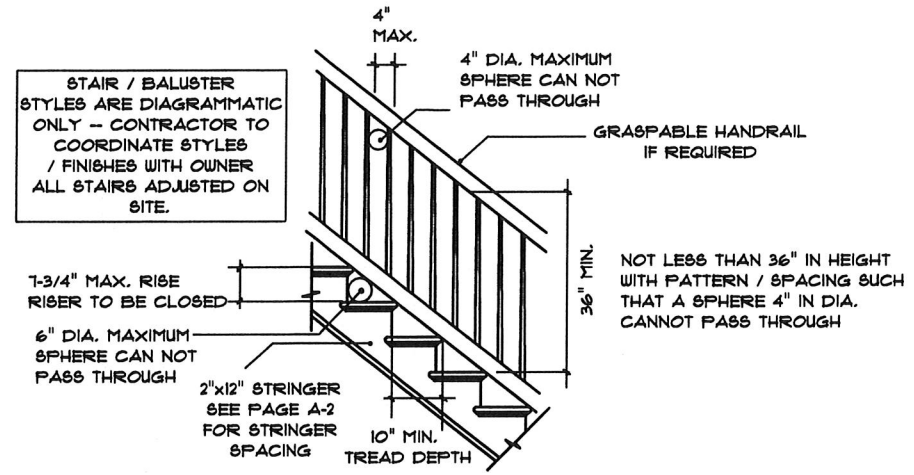
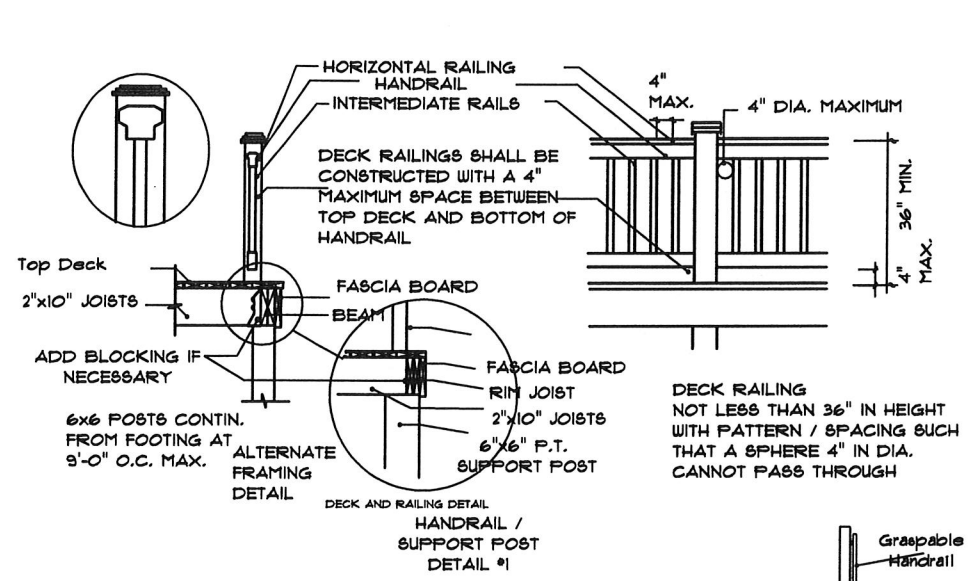


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DRAWN BY: Dave Williams
PAGE: Roof Con Detail
DATE: Friday, January 25, 2019

PAGE: 4 / 12



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DAVID WILLIAMS
Deck Con Detail

DATE: Friday, January 25, 2019

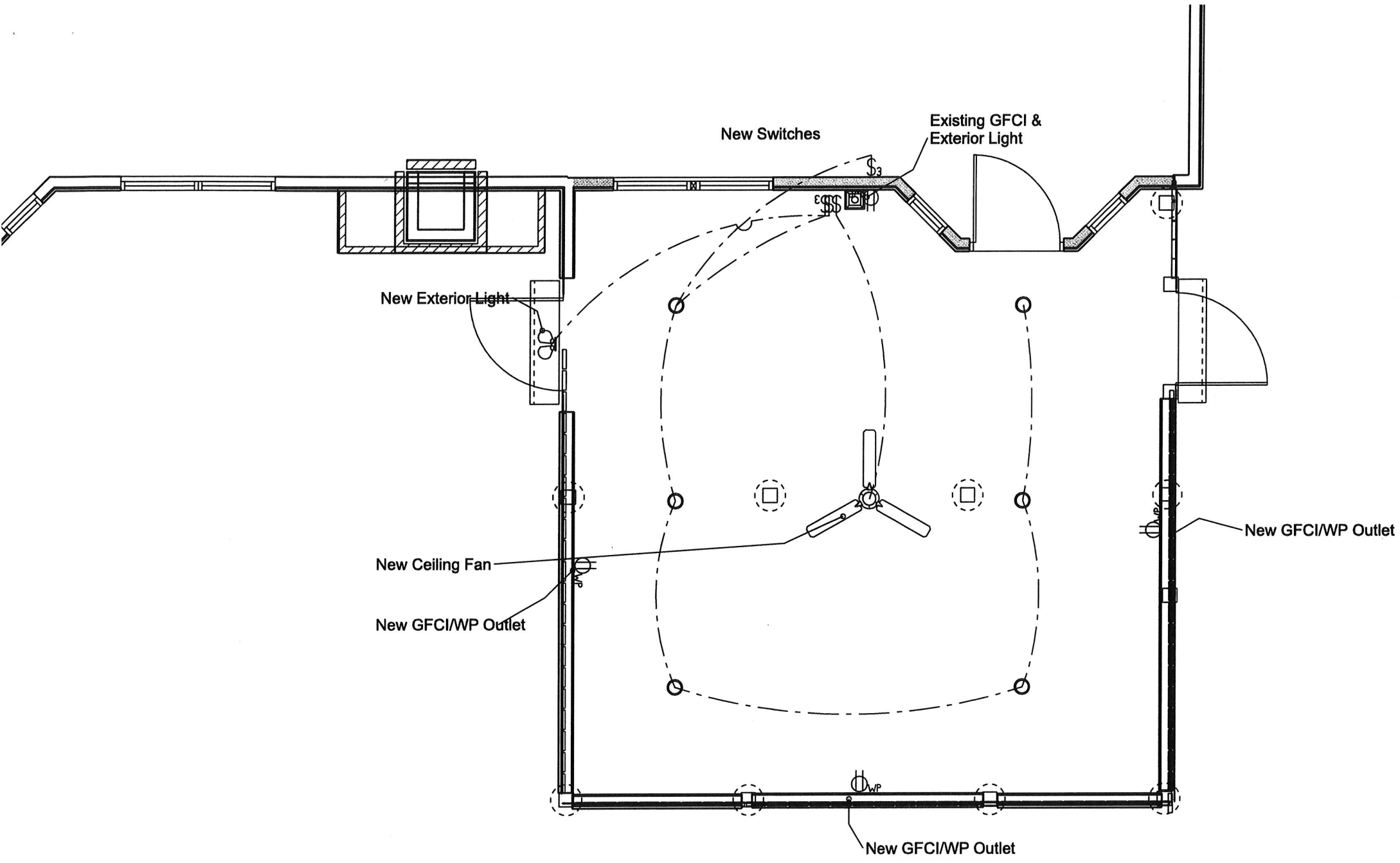
PAGE: 6 / 12

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Electrical Layout
SCALE: 1/4" = 1'-0"



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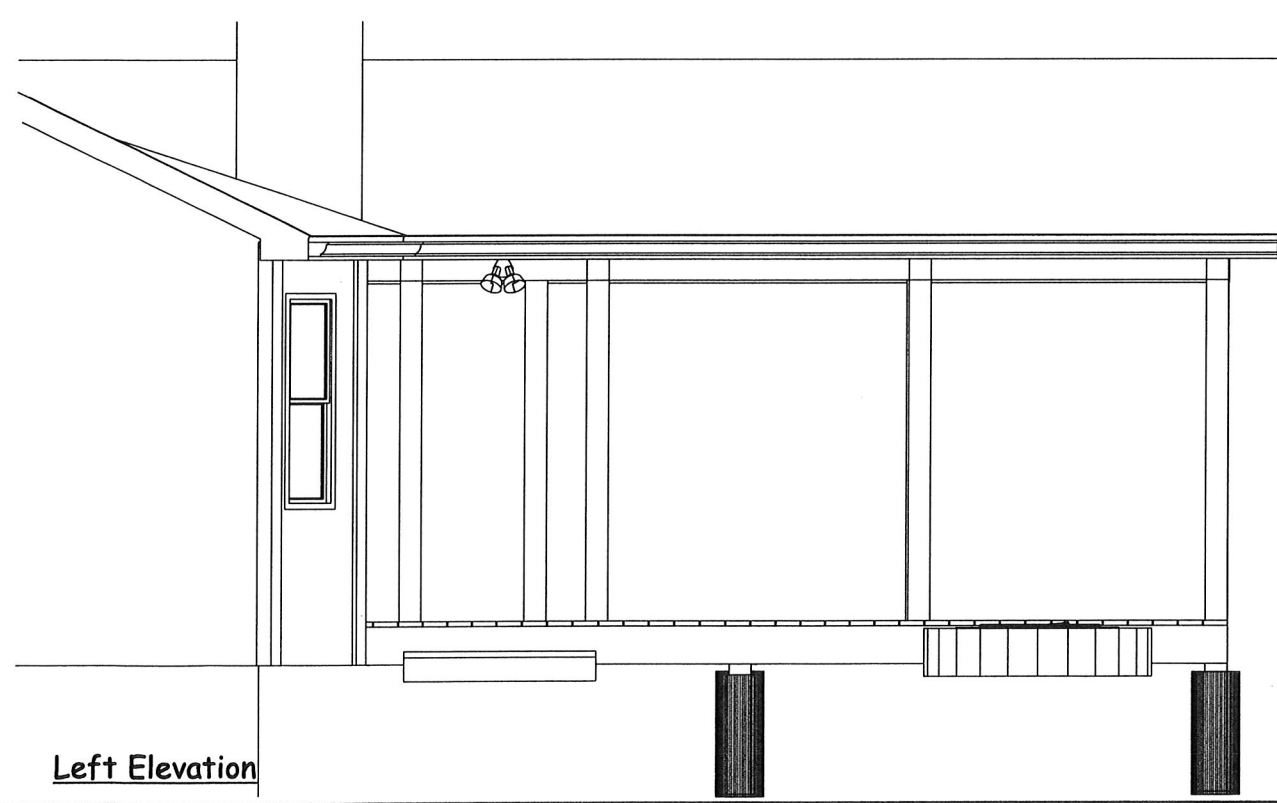
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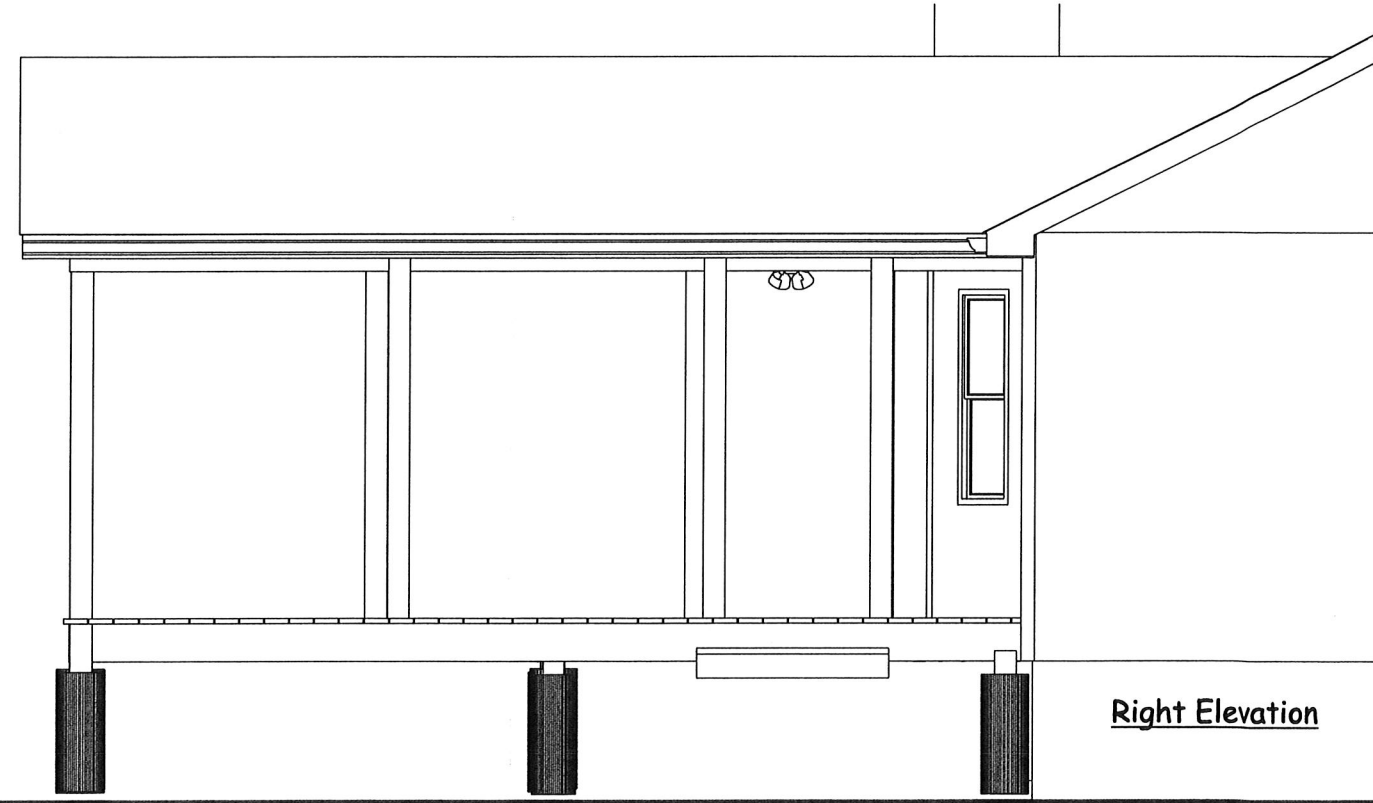
Plans Prepared By Non
Licensed Professional

DRAWN BY: Dave Williams
PAGE: Electrical Layout
DATE: Friday, January 25, 2019

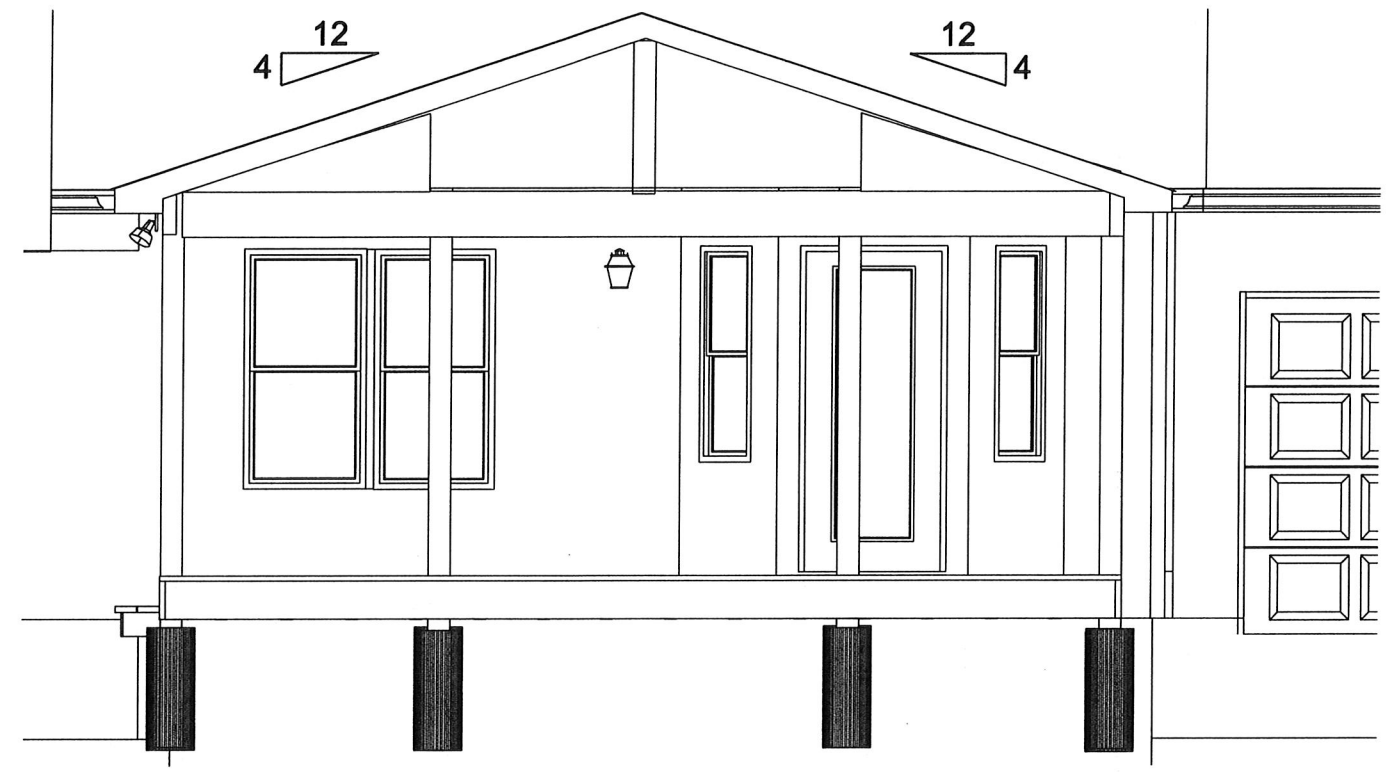
PAGE: 8 / 12



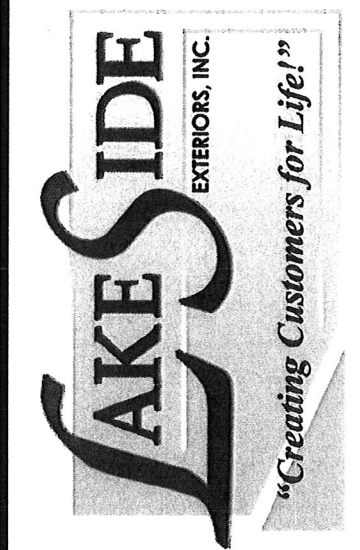
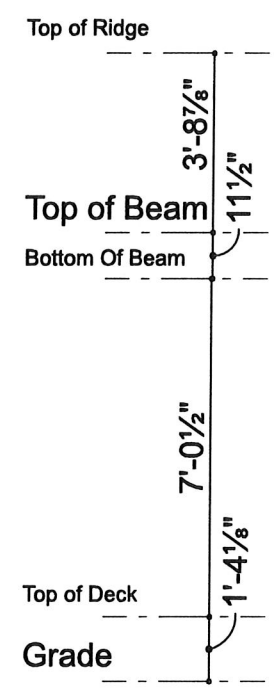
Left Elevation



Right Elevation



Rear Elevation



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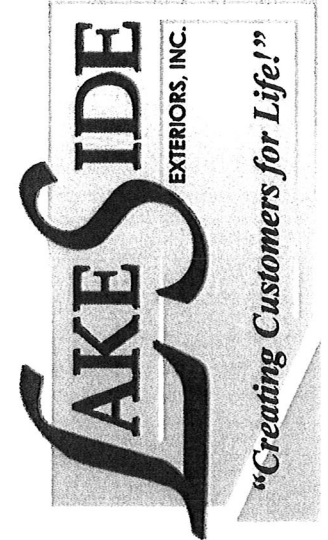
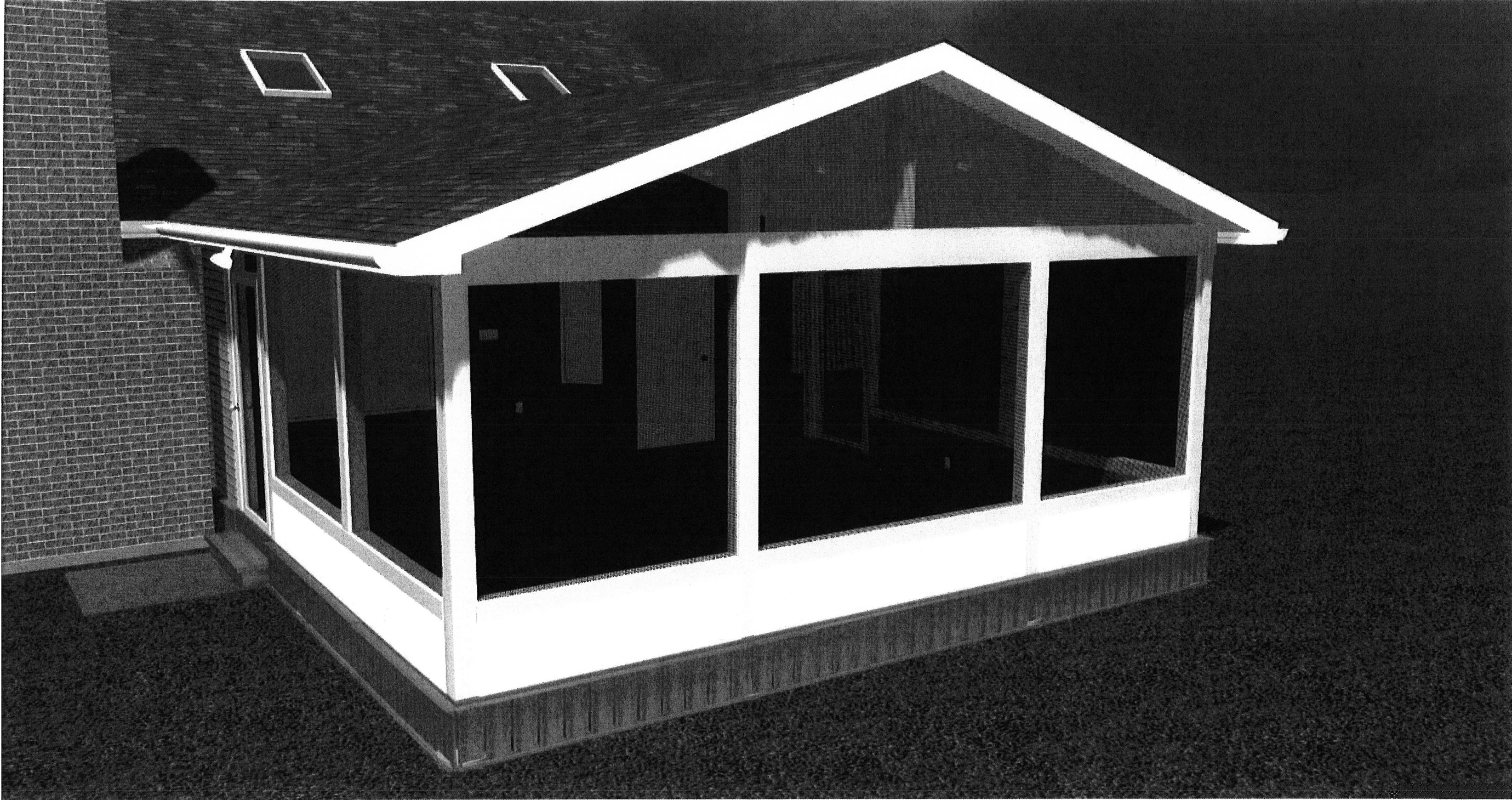
DRAWN BY: Dave Williams
PAGE: Elevations

DATE: Friday, January 25, 2019

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PAGE:

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DRAWN BY: Dave Williams
PAGE: Rendering
DATE: Friday, January 25, 2019

PAGE: 10 / 12

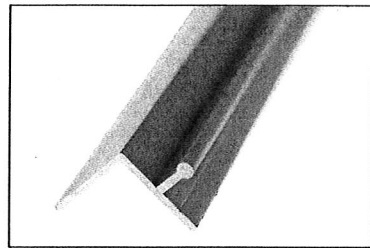
SCREENEZE® AND PLINTH INSTALLATION INSTRUCTIONS

READ INSTRUCTIONS ALL THE WAY THROUGH PRIOR TO INSTALLING

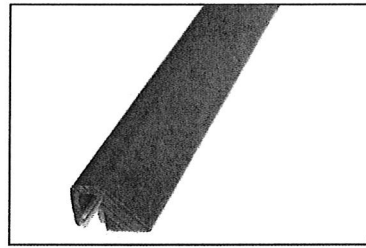
SAFETY NOTICE
SCREENEZE® fixed screen porch system is produced and sold for a specific use; "field built screen system". Install SCREENEZE® per the instructions provided. Do not use SCREENEZE® for any purpose other than securing screen material to a screen enclosed structure. DO NOT USE SCREENEZE® FOR FALL PROTECTION. As with the installation of any building product, we strongly recommend the use of hand, eye and ear protection. Refer to your State or Federal OSHA guidelines for the proper use of tools and accessories needed for the installation of this product. Home Improvement Systems Inc. shall not be responsible for injury or damage resulting from the use of SCREENEZE®.

STEP 1

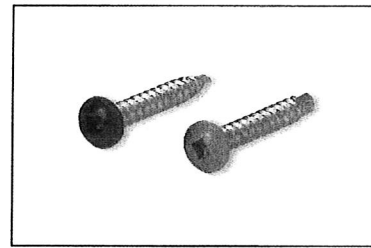
Identify the parts of SCREENEZE® (Plinth is optional)



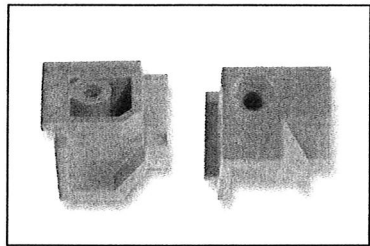
Aluminum Base Channel
(3/4" X 3/4", 8' or 12' in length)



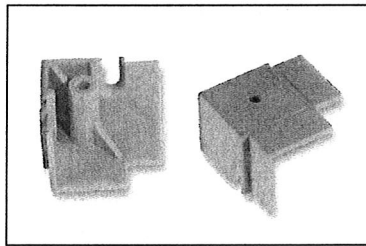
Vinyl Cap
(3/8" X 1/2", 8' or 12' in length)



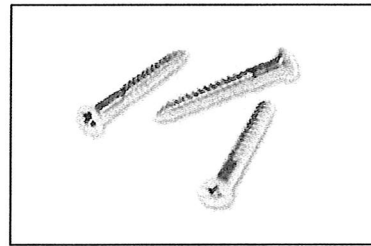
Included Screws
(1 1/4" in length)



Plinth



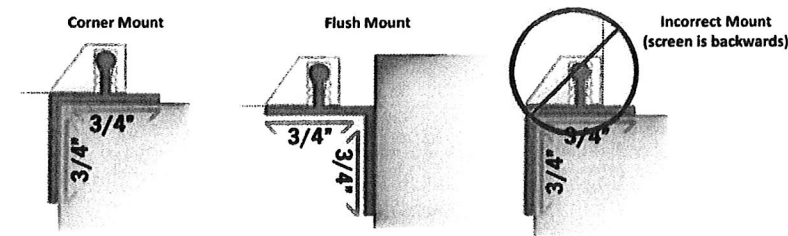
Plinth Flush Base



Plinth Screws

STEP 2

Determine if you are going to do a flush mount or corner mount.



TOOLS FOR INSTALLATION

- Rubber Mallet
- Small Pry Bar or 5 in 1 Tool
- Utility Knife
- Standard Drill
- Tape Measure
- 10" Miter Saw (see step 7)

STEP 3

Decide if you are going to utilize the optional Plinth Kits (sold separately) to eliminate mitering the SCREENEZE® corners. If you are going to use the optional Plinth Kits, proceed to Step 4 for a Flush Mount Application or Step 5 for a Corner Mount application.
NOTE: If you are doing a Flush Mount, you will utilize the Plinth Flush Kits. If you are doing a Corner Mount, you will utilize the Plinth Corner Kits. You will need one Plinth Kit per opening.

If you are NOT going to use the optional Plinth Kits for installation, continue with the Traditional SCREENEZE® Installation Instructions starting on Step 6 on Page 3.

PLINTH KITS SCREENEZE® INSTALLATION INSTRUCTIONS (optional)

PLINTH FLUSH MOUNT APPLICATION

STEP 4

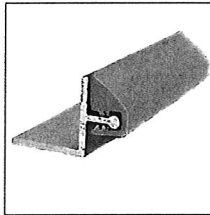
NOTE: If you are doing a Flush Mount, you will utilize the Plinth Flush Kits (sold separately). Review Steps 6 & 7 first.

STEP 4.1

Measure each side of your opening corner to corner.

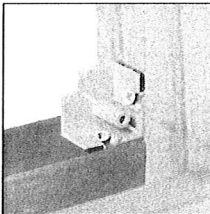
STEP 4.2

Square cut SCREENEZE® Aluminum Base and Vinyl Cap together 1 5/8" overall shorter than the actual opening.



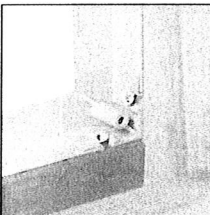
STEP 4.3

Screw in the Plinth Base with the face side at the desired location for all four corners.



STEP 4.4

Slide the aluminum base behind the Plinth base tabs.

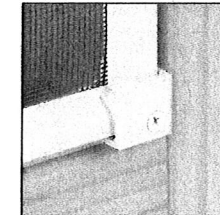


STEP 4.5

Follow Traditional SCREENEZE® Installation Instructions starting at Step 8 and ending on Step 13, then return to Step 4.6 to finish the Plinth Mount application.

STEP 4.6

After you install SCREENEZE® and trim the screen fabric, then install the Plinth with the included screws.



PLINTH CORNER MOUNT APPLICATION

STEP 5

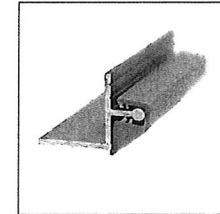
NOTE: If you are doing a Corner Mount, you will utilize the Plinth Corner Kits (sold separately). Review Steps 6 & 7 first.

STEP 5.1

Measure each side of your opening corner to corner.

STEP 5.2

Square cut SCREENEZE® Aluminum Base and Vinyl Cap together 1/8" overall shorter than the actual opening.

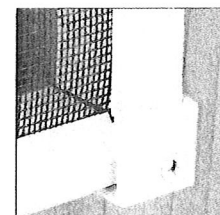


STEP 5.3

Follow the Traditional SCREENEZE® Installation Instructions starting at Step 8 and ending on Step 13, then return to Step 5.4 below to finish the Plinth Corner Mount application.

STEP 5.4

After you install SCREENEZE® and trim the screen fabric, then install the Plinth with the included screws.



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PAGE: Screen Eze

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TRADITIONAL SCREENEZE® INSTALLATION INSTRUCTIONS USING MITER CUTS

STEP 6

After determining the application, snap or slide the Vinyl Cap onto the Aluminum Base Channel. You will cut both pieces as one.

TIP: The beveled edge of the Vinyl Cap will ALWAYS face toward the screen opening. Make sure the Vinyl Cap is facing the correct way according to your choice in application prior to cutting (flush or corner).

TIP: Pencil identifying marks on the corresponding Vinyl Cap and its Aluminum Base Channel so they are easily placed and kept together when completing Steps 7 through 10.

STEP 7

Measure the opening and cut as required. Be sure Vinyl Cap does not move on the Aluminum Base Channel while making miter cuts.

CUTTING TIP: Use a 10" miter saw with a 200 tooth blade for cutting plywood. We also recommend the Freud Diablo series blade for cutting non-ferrous/plastic material; specifically, the 10" 80 tooth blade. You can also use a hack saw with a metal cutting blade.

TIP: Never force SCREENEZE® into an opening. For best results, make cuts snug or short by 1/32" - 1/16" to allow for expansion and contraction.

STEP 8

Find the center of each piece. Then mark for screw location at 10" - 12" O.C. from and including the center mark. Always screw at 2" from either end of cut piece. Adjust your centers to the 2" distance from the end of the cut piece.

TIP: Although we provide a self-tapping screw, we recommend pre-drilling a 3/16" hole at your marked centers. We recommend a standard drill. Impact drills have too much torque.

STEP 9

Place cut pieces in opening and check for fit. Look for true corners (look for proper fit if using Plinths). Adjust if required. Secure the Aluminum Base Channel to the porch framing with SCREENEZE® supplied screws (T-25 for Sand or #2 Square Drive for Bronze, White, Clay self-tapping #11 x 1 1/4 inch). *Screws are recommended for standard use in most material, but NOT recommended for salt air installation.

STEP 10

Remove the Vinyl Cap from the Aluminum Base Channel. A 5-in-1-tool, a miniature "Wonder Bar", or a small straight screw driver may be used. Be careful not to scar the Aluminum Base Channel or Vinyl Cap during this process. Be careful not to mix-up the pieces as they might be different lengths.

TIP: After loosening the ends, gently pull the Vinyl Cap off the Aluminum Base Channels.

STEP 11

To install screen; hold fabric to the top (always first) of the opening. Square the fabric on top of the opening, then attach screen to Aluminum Base Channel by pressing or tapping the Vinyl Cap onto the corners by seating the Vinyl Cap to the Aluminum Base Channel with a rubber hammer. Next, proceed to the center of the cap to seat it completely. Make sure the screen has remained square on the frame. Complete the Vinyl Cap installation by tapping from the center out towards the corners. Be sure the Vinyl Cap is secure against the Aluminum Base Channel before proceeding.

TIP: If it's a windy day, place a thumbtack on each corner and leave the screen on the roll to help keep it square and not blow around.

STEP 12

Install the Vinyl Cap on the bottom (always second) of the opening in the same manner used in Step 11.

TIP: DO NOT STRETCH the screen fabric. SCREENEZE® will uniformly stretch the screen fabric for you. Let the screen drape over the bottom channel and position the screen so there are no wrinkles left or right.

STEP 13

Install the side pieces as described in Step 11. Check the entire installation to ensure that the Vinyl Cap is completely seated on the Aluminum Base Channel. Use a razor knife to cut away excess screen fabric. Return to Step 4.6 or Step 5.3 if using Plinths.

TIP: Use the base of the Vinyl Cap, holding your knife at a perpendicular angle as a guide for trimming the screen.

COLD TEMPERATURE INSTALLATION INSTRUCTIONS

When installing in temperatures below 60°, make sure that the Vinyl Caps are warmed or stored in a heated area. We recommend using portable heat prior to installation. Remember, it is PLASTIC. Cool temperatures can make the vinyl brittle causing it to split or crack during installation. This will occur at the ends so be sure to hand press the caps at the corners and take the previous stated precautions. Also, tap the cap close to a previously expanded point.

If you do experience the Vinyl Cap cracking, please call 800.884.6697.

SCREENEZE® LIMITED PRODUCT WARRANTY

TERMS: 10 years from date of purchase

COVERAGE: We warrant that SCREENEZE® will perform as a fixed screen installation system. The SCREENEZE® components, Aluminum Base and Vinyl Cap only, will perform as intended for stretching and securing screen fabric in a vertical position on the walls of a traditional screen room.

CONDITIONS: Home Improvements Systems, Inc., manufacturers of SCREENEZE®, will consider claims for manufacturing defects in the Aluminum Base and/or Vinyl Cap only. Home Improvement Systems, Inc. will replace products with manufacturing defects at the company's discretion.

EXCLUSIONS FROM COVERAGE:

- Labor to remove or install replacement material
- Screws*
- Screen Fabric
- Defects due to ordinary wear and tear or abuse are excluded from coverage
- Defects caused by improper installation and/or misapplication of the product are excluded from coverage i.e. SCREENEZE® installed as an awning or roof system regardless of the screen material attached
- Defects due to damage to vinyl caps when installed in temperatures below 60°
(care should be taken to store material in a heated area prior to installation if temperatures are below 60°)
- Defects in the performance of the product due to failure or deterioration of the primary structure that SCREENEZE® is attached to

CLAIMS PROCEDURE: Send claims to Home Improvement Systems, Inc., 2530 Spring Grove Ave., Suite 1A, Cincinnati, OH 45214. Include proof of purchase, photograph of defect, contact information, and a sample of the defective product. No claim can be processed without prior company approval.

EFFECTIVE DATE: February 24, 2017

Screws are recommended for standard use in most material, but not recommended for salt air installation

SCREENEZE® is a patented fixed screen system made in the USA - U.S. Patent No. 6,378,267
Plinth is a patented product made in the USA - US Patent No. 9518423 - US Design Patent No. D756,536



SCAN FOR
FRENCH OR SPANISH

Plans Prepared By Nor
Licensed Professional

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PAGE:
12 / 12

DATE: Friday, January 25, 2019

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AFTER IMPROVEMENT

BOUNDARY RETRACEMENT AND IMPROVEMENT LOCATION SURVEY

FOREST MEADOWS PLAT ONE

ST. LOUIS COUNTY, MISSOURI

EXHIBIT
6e.

REJECTED
DATE: February
BY: 02/25/2009



SCALE:
1 inch = 30 ft.
BASE OF BEARING:
P.S. 232 Pg. 80

- ⊙ - DENOTES SET 1/2" x 16" REBAR WITH CAP STAMPED "MARLER L.S. 2801"
- + - DENOTES FOUND CROSS AT AN OFFSET
- - DENOTES FOUND 1/2" IRON PIPE
- - DENOTES FOUND CONCRETE MONUMENT

encroachment of concrete driveway onto Lot 6

LOT 5

LOT 6

LOT 7

MISTFLOWER GLEN CT. (50' W)

SURVEYOR'S STATEMENT

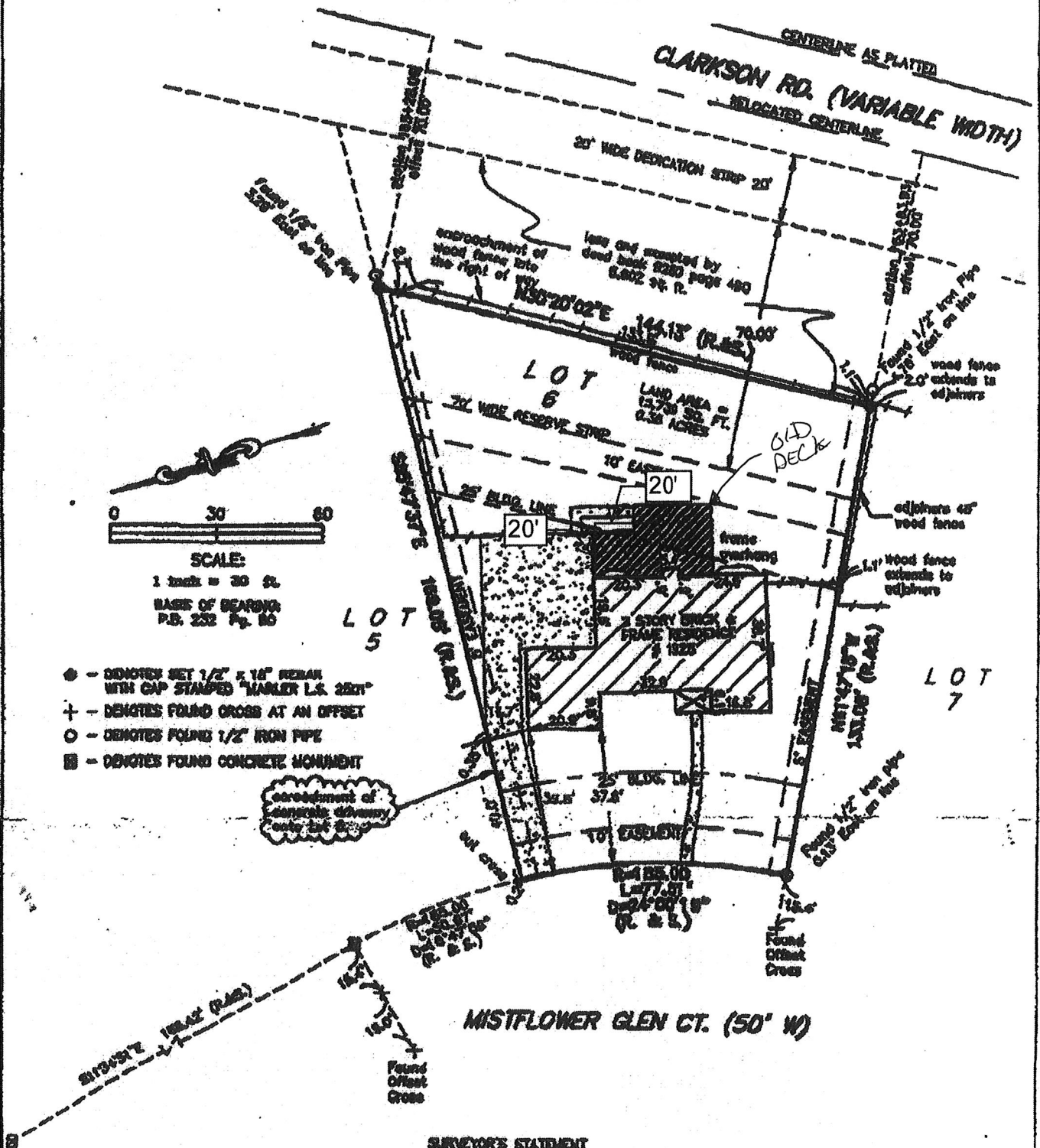
THIS IS TO CERTIFY AT THE REQUEST OF GOLDWELL BANKER WE HAVE DURING THE MONTH OF FEBRUARY 2002, PERFORMED A BOUNDARY RETRACEMENT AND IMPROVEMENT LOCATION SURVEY ON LOT 6 OF FOREST MEADOWS PLAT ONE, A SUBDIVISION RECORDED IN PLAT BOOK 232 PAGE 80 IN THE ST. LOUIS COUNTY LAND RECORDS OFFICE IN ST. LOUIS COUNTY, MISSOURI, AND THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED ON THIS DRAWING. THAT THE SAID SURVEY WAS EXECUTED IN COMPLIANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS URBAN CLASS PROPERTY AS SET FORTH BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND BY THE MISSOURI DEPARTMENT OF NATURAL RESOURCES DIVISION OF GEOLOGY AND LAND SURVEY, EFFECTIVE 12/30/84, AND LAST REVISED SEPTEMBER OF 2000.

IN WITNESS WHEREOF, I HAVE SIGNED AND SEALED THE FOREGOING THIS 12th DAY OF FEBRUARY, 2002.

BEFORE IMPROVEMENT

BOUNDARY RETRACEMENT AND IMPROVEMENT LOCATION SURVEY FOREST MEADOWS PLAT ONE

ST. LOUIS COUNTY, MISSOURI



SURVEYOR'S STATEMENT

THIS IS TO CERTIFY AT THE REQUEST OF GOLDWELL BANNER WE HAVE DURING THE MONTH OF FEBRUARY 2002, PERFORMED A BOUNDARY RETRACEMENT AND IMPROVEMENT LOCATION SURVEY ON LOT 6 OF FOREST MEADOWS PLAT ONE, A SUBDIVISION RECORDED IN PLAT BOOK 232 PAGE 80 IN THE ST. LOUIS COUNTY LAND RECORDS OFFICE IN ST. LOUIS COUNTY, MISSOURI, AND THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED ON THIS DRAWING. THAT THE SAID SURVEY WAS EXECUTED IN COMPLIANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS URBAN CLASS PROPERTIES AS SET FORTH BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND BY THE MISSOURI DEPARTMENT OF NATURAL RESOURCES DIVISION OF GEOLOGY AND LAND SURVEY, EFFECTIVE 12/30/94, AND LAST REVISED SEPTEMBER OF 2000.

IN WITNESS WHEREOF, I HAVE SIGNED AND SEALED THE FOREGOING THIS 12th DAY OF FEBRUARY, 2002.

Board of Adjustment
City of Chesterfield, Missouri

In Re:)
Paul and Eleonore Eggers)
1928 Mistflower Glen Ct.)
Chesterfield, MO 63005)
)
)

FINDINGS OF FACT AND CONCLUSIONS OF LAW
REGARDING THE VARIANCE REQUEST APPLICATION (B.A. 01-2019)
FOR THE PROPERTY LOCATED AT 1928 MISTFLOWER GLEN CT.

COMES NOW, the Board of Adjustment (the "Board") of the City of Chesterfield, Missouri, (the "City") and hereby issues the following Findings of Fact and Conclusions of Law approving the Variance request (B.A. 01-2019) submitted on behalf of Paul and Eleonore Eggers:

FINDINGS OF FACT

1. That on January 25, 2019, Paul and Eleonore Eggers (the "Applicants"), submitted a request for Variance (B.A. 01-2019) approval that would allow a screened in porch to be constructed within the required twenty-five foot (25') rear set back area, per the Forest Meadows Record Plat One, on their property within the R-1 and R-1A Residence Zoning Districts with a Planned Environment Unit (PEU), located at 1928 Mistflower Glen Court, Chesterfield, MO. Said Variance request was an appeal of the City's Zoning Code and application by the City's Zoning Officer.
2. That on January 25, 2019, the applicant submitted a check for the Variance application fee to the City of Chesterfield.
3. That on March 1, 2019 a Public Hearing notice appeared in The Countian, a newspaper qualified to publish legal notices in St. Louis County, Missouri, stating that a Public Hearing would be held by the Board of Adjustment of the City of Chesterfield at 6:00 p.m., March 7, 2019, at City Hall, 690 Chesterfield Parkway West, Chesterfield, Missouri, for the purpose of considering and making findings and recommendations in regards to a request by the applicant to allow the construction of a new screened in porch to be within the required 25' rear setback area per the Forest Meadows Record Plat One, on their property located within the R-1 and R-1A Residence Zoning Districts with

a Planned Environment Unit (PEU), located at 1928 Mistflower Glen Court., Chesterfield, MO.

4. That on March 1, 2019 a notification was mailed by certified U.S. Mail to property owners and all adjacent property owners of 1928 Mistflower Glen Court informing them that the Board of Adjustment of the City of Chesterfield would hold a Public Hearing at 6:00 p.m., on March 7, 2019 to consider Applicant's request for a variance.
5. That on March 1, 2019 a notification was mailed by certified U.S. Mail to all subdivision trustees of the Forest Meadows subdivision, informing them that the Board of Adjustment of the City of Chesterfield would hold a Public Hearing at 6:00 p.m., on March 7, 2019 to consider Applicant's request for a variance.
6. That on March 1, 2019 the Public Hearing Notice for the March 7, 2019 Board of Adjustment meeting to be held at 6:00 p.m. at City Hall, 690 Chesterfield Parkway West, Chesterfield, Missouri was posted in the front lobby of City Hall.
7. That on March 7, 2019 a Public Hearing was held by the Board of Adjustment to consider Applicant's request for a variance. At that time the Applicants were present at the Public Hearing to present their request for Variance approval to the Board of Adjustment.
8. That on March 7, 2019 the Board of Adjustment voted __ to __ to approve the Applicant's request for a variance. The motion failed to receive the required statutory majority to approve the variance, pursuant 89.090 RSMo.

CONCLUSIONS OF LAW

WHEREFORE, the Board of Adjustment of the City of Chesterfield, Missouri, does hereby find and conclude the following as a matter of law:

1. That Applicant filed a request for a variance pursuant to §2-211—§2-220.3 of the Municipal Code of the City and §89.100 RSMo.
2. That at the Public Hearing held on March 7, 2019 the Board of Adjustment made the following conclusions of law, pursuant to §2-211—§2-220.3 of the Municipal Code:
3. That the Applicant has not shown that special conditions or circumstances exist which are peculiar to the land, structure or building

involved and that the conditions or circumstances of the Applicant are applicable to other lands, structures or buildings; and,

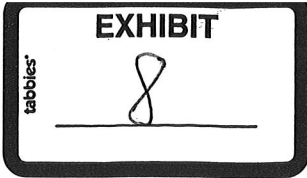
4. That literal interpretations of the provisions of the applicable chapter of City Code would not deprive the Applicant of rights commonly enjoyed by other properties; and,
5. That the special conditions of the Applicant are a direct result of the actions of the Applicant; and,
6. That granting the variance requested by the Applicant would confer on the Applicant special privileges that are denied to owners of other lands, structures and buildings in the same district.
7. That no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts were considered as the grounds for approving this variance.
8. That Applicant has failed to show practical difficulties or unnecessary hardship related to the Applicant's request for a variance.
9. That Applicant's request for a variance is hereby **DENIED** under authority §2-211—§2-220.3, et seq. of the Municipal Code and §89.100 RSMo, et seq.

So Ordered,

Chairman, Board of Adjustment

ATTEST:

Kathy Reiter
Executive Assistant to the Director of Planning and Development Services



Board of Adjustment
City of Chesterfield, Missouri

In Re:)
Paul and Eleonore Eggers)
1928 Mistflower Glen Ct.)
Chesterfield, MO 63005)
)
)

**FINDINGS OF FACT AND CONCLUSIONS OF LAW
REGARDING THE VARIANCE REQUEST APPLICATION (B.A. 01-2019)
FOR THE PROPERTY LOCATED AT 1928 MISTFLOWER GLEN CT.**

COMES NOW, the Board of Adjustment (the "Board") of the City of Chesterfield, Missouri, (the "City") and hereby issues the following Findings of Fact and Conclusions of Law approving the Variance request (B.A. 01-2019) submitted on behalf of Paul and Eleonore Eggers:

FINDINGS OF FACT

1. That on January 25, 2019, Paul and Eleonore Eggers (the "Applicants"), submitted a request for Variance (B.A. 01-2019) approval that would allow a screened in porch to be constructed within the required twenty-five foot (25') rear set back area, per the Forest Meadows Record Plat One, on their property within the R-1 and R-1A Residence Zoning Districts with a Planned Environment Unit (PEU), located at 1928 Mistflower Glen Court, Chesterfield, MO. Said Variance request was an appeal of the City's Zoning Code and application by the City's Zoning Officer.
2. That on January 25, 2019, the applicant submitted a check for the Variance application fee to the City of Chesterfield.
3. That on March 1, 2019 a Public Hearing notice appeared in The Countian, a newspaper qualified to publish legal notices in St. Louis County, Missouri, stating that a Public Hearing would be held by the Board of Adjustment of the City of Chesterfield at 6:00 p.m., March 7, 2019, at City Hall, 690 Chesterfield Parkway West, Chesterfield, Missouri, for the purpose of considering and making findings and recommendations in regards to a request by the applicant to allow the construction of a new screened in porch to be within the required 25' rear setback area per the Forest Meadows Record Plat One, on their property located within the R-1 and R-1A Residence Zoning Districts with

a Planned Environment Unit (PEU), located at 1928 Mistflower Glen Court., Chesterfield, MO.

4. That on March 1, 2019 a notification was mailed by certified U.S. Mail to property owners and all adjacent property owners of 1928 Mistflower Glen Court informing them that the Board of Adjustment of the City of Chesterfield would hold a Public Hearing at 6:00 p.m., on March 7, 2019 to consider Applicant's request for a variance.
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7. That on March 7, 2019 a Public Hearing was held by the Board of Adjustment to consider Applicant's request for a variance. At that time the Applicants were present at the Public Hearing to present their request for Variance approval to the Board of Adjustment.
8. That on March 7, 2019 the Board of Adjustment voted __ to __ to approve the Applicant's request for a variance. The motion received the required statutory majority to approve the variance, pursuant 89.090 RSMo.

CONCLUSIONS OF LAW

WHEREFORE, the Board of Adjustment of the City of Chesterfield, Missouri, does hereby find and conclude the following as a matter of law:

1. That Applicant filed a request for a variance pursuant to §2-211—§2-220.3 of the Municipal Code of the City and §89.100 RSMo.
2. That at the Public Hearing held on March 7, 2019 the Board of Adjustment made the following conclusions of law, pursuant to §2-211—§2-220.3 of the Municipal Code:
3. That the Applicant has shown that special conditions or circumstances exist which are peculiar to the land, structure or building involved and that the conditions or circumstances of the Applicant are not applicable to other lands, structures or buildings; and,

4. That literal interpretations of the provisions of the applicable chapter of City Code would deprive the Applicant of rights commonly enjoyed by other properties; and,
5. That the special conditions of the Applicant are not a direct result of the actions of the Applicant; and,
6. That granting the variance requested by the Applicant would not confer on the Applicant special privileges that are denied to owners of other lands, structures and buildings in the same district.
7. That no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts were considered as the grounds for approving this variance.
8. That Applicant has shown practical difficulties or unnecessary hardship related to the Applicant's request for a variance.
9. That Applicant's request for a variance is hereby **APPROVED** under authority §2-211—§2-220.3, et seq. of the Municipal Code and §89.100 RSMo, et seq.

So Ordered,

Chairman, Board of Adjustment

ATTEST:

Kathy Reiter
Executive Assistant to the Director of Planning and Development Services