

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 6, 2017 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. 02-2017 1931 Sandburg Ct (Ron and Roberta Gipson): A request for a variance from the Walden Pond Record Plat for Lot 15 of Walden Pond to maintain a rear yard setback of 42 feet in lieu of the 50 foot setback requirement. (19T310492)



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, Senior Planner by telephone at 636-537-4741 or by email at jhenry@chesterfield.mo.us.

City of Chesterfield

Jessica Henry, AICP
Senior 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: July 6, 2017

From: Jessica Henry, AICP
Senior Planner

Location: 1931 Sandburg Court

Applicant: Ron and Roberta Gipson

Description: **B.A. 02-2017 1931 Sandburg Ct (Ron and Roberta Gipson)**: A request for a variance from the Walden Pond Record Plat for Lot 15 of Walden Pond to maintain a rear yard setback of 42 feet in lieu of the 50 foot setback requirement. (19T310492)

PROPOSAL SUMMARY

Mr. and Mrs. Gipson are requesting a variance from the minimum rear yard setback requirement required for their property, Lot 15 of the Walden Pond subdivision. The property owners are requesting a 42 foot rear setback in lieu of the required 50 foot rear setback in order to accommodate construction of a new deck within the same footprint of the existing deck, which encroaches in the rear setback.

An application, along with photos of the site and letters from adjacent property owners, is attached hereto 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 which was rejected by the Department of Planning and Development Services.

SITE HISTORY AND EXISTING CONDITIONS

Walden Pond Subdivision was zoned "R1A" and "R2" with a Planned Environment Unit (PEU) by St. Louis County in 1985 under the terms and conditions of St. Louis County Ordinance 12,346. In 1986, St. Louis County amended Ordinance 12,346 and replaced its conditions for development with Ordinance 12,914. Subsequently, a Record Plat was approved and recorded in 1986 that established a 50 foot rear setback for Lot 15 and other lots located along the perimeter of the Walden Pond subdivision.

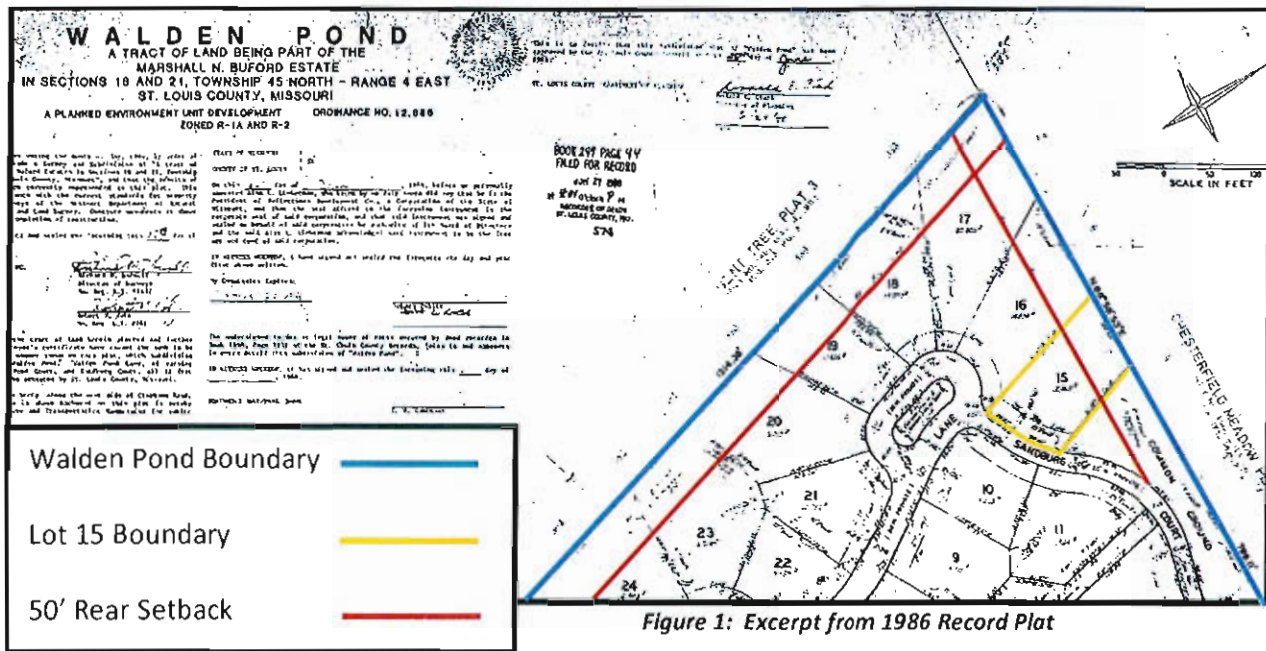


Figure 1: Excerpt from 1986 Record Plat

As shown in the Record Plat excerpt above, Lot 15 has a 50 foot rear setback as do the other perimeter lots of the Walden Pond subdivision that are located adjacent to the Bent Tree and Chesterfield Meadow subdivisions.

According to St. Louis County records, the current home on the subject site was constructed in 1987. The property sketch information included with the St. Louis County records indicates that a 286 square foot wood deck is located on the property and is denoted on the sketch by the letter “H”. The property owners purchased the lot in 1991 with the existing deck in place; 26 years later the deck is due for replacement and the property owners are seeking to maintain the existing footprint.

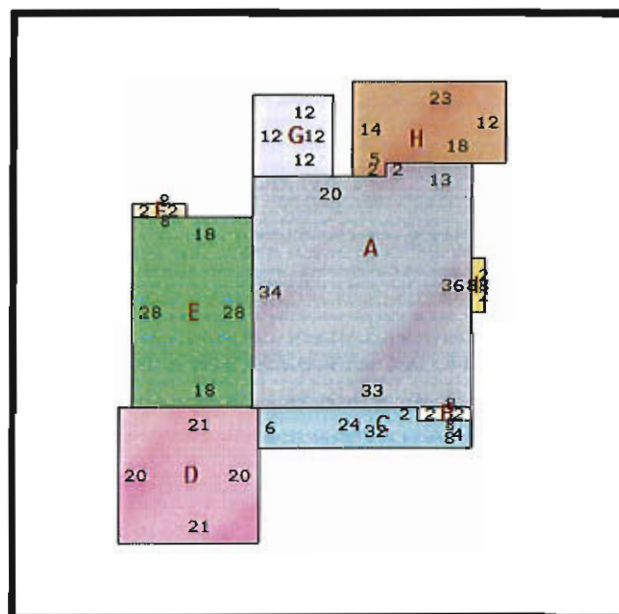


Figure 2: Property sketch from St. Louis County Records

In May of 2017, an Application was submitted to the Department of Planning and Development Services requesting to construct a new deck on the subject site. The proposed construction showed an encroachment into the required rear yard setback and the request was therefore denied.

It should be noted that the current deck on the property encroaches into the rear yard setback; it is assumed that St. Louis County approved this encroachment prior to the incorporation of the City of Chesterfield as the City records do not indicate that any permits for construction or alteration to the home have been approved since incorporation.



Figure 3: Google Earth indicating area of encroachment

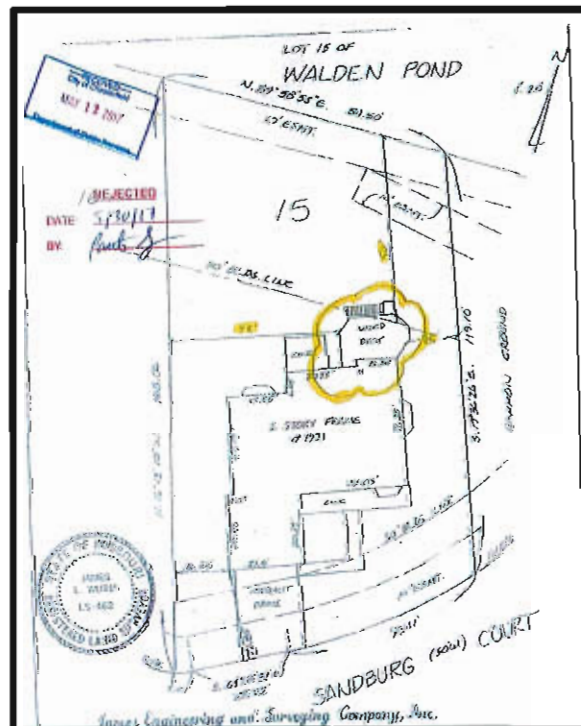


Figure 4: Property Survey indicating area of encroachment

The subject site, Lot 15 shown in yellow below, is located on the perimeter of the Walden Pond subdivision, which is outlined in red. Letters of support from the subdivision Board of Trustees and adjacent property owners have been submitted by the applicants.



Figure 5: Aerial image of Subject Site within Chesterfield Lakes & Surrounding Developments

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 stated that unique physical characteristics exist due to the lot’s “shallow, angular back property line compared to next door neighbor.” Please refer to the attached application for full statement from the Applicant. The variance would permit the Applicant to construct a new deck that meets current building codes within the same footprint as the existing deck which is at the end of its usable life. The Applicant has also submitted letters of support from adjoining property owners.

The Applicant is requesting a variance to maintain a 42 foot rear yard setback in lieu of the 50 foot rear yard setback requirement in order to accommodate the construction of a new deck within the same footprint as the existing deck.

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.

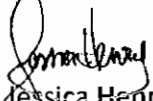
As established on the Walden Pond Record Plat, a minimum 50 foot rear yard setback is required. The front and side yard setbacks are 20 feet and 6 feet, respectively.

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 deck to encroach 8 feet into a 50 foot required yard setback.
2. The effect, if the variance is allowed, on available governmental facilities. Staff does not anticipate an effect on governmental facilities.
3. Whether a substantial change will be produced in the character of the neighborhood or substantial detriment to adjoining properties or neighbors. After reviewing the request submitted by the Applicant, Staff is of the opinion that granting a variance for the proposal would not result in a substantial change in the character of the neighborhood. Letters of support for said request have been provided by the Applicant and are included in the meeting packet.
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 a deck with modifications to its shape or size.
5. Whether the interest of justice will be served by allowing the variance. Staff has reviewed the documents related to this petition. The lot size and configuration have not been altered since the establishment of the Record Plat and the deck encroachment was shown on the property survey received by the property owners when they purchased the property in 1991. Additionally, the perimeter lots of the Walden Pond subdivision that are adjacent to the neighboring Bent Tree and Chesterfield Meadows subdivisions are all subject to the 50 foot rear setback requirement.

Respectfully submitted,



Jessica Henry, AICP
Senior Planner

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. Application to Board of Adjustment
 - b. Site and surrounding area photographs
 - c. Letters of support
 - d. Rejected Application for Municipal Zoning Approval
7. Findings of Fact and Conclusions of Law—Denial
8. Findings of Fact and Conclusions of Law—Approval

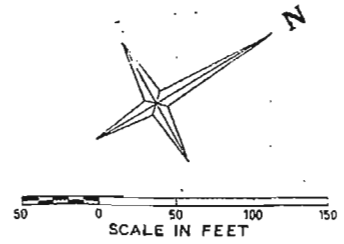
WALDEN POND
 A TRACT OF LAND BEING PART OF THE
 MARSHALL N. BUFORD ESTATE
 IN SECTIONS 15 AND 21, TOWNSHIP 45 NORTH - RANGE 4 EAST
 ST. LOUIS COUNTY, MISSOURI

A PLANNED ENVIRONMENT UNIT DEVELOPMENT ORDINANCE NO. 12,686
 ZONED R-1A AND R-2

This is to certify that this subdivision of Walden Pond has been approved by the St. Louis County Council on the 27th day of June 1986.

ST. LOUIS COUNTY DEPARTMENT OF PLANNING
 Ronald E. Clark
 Director of Planning
 5/27/86

EXHIBIT
5



I, the undersigned, have during the month of May, 1986, by order of Reflections Development Co., made a Survey and Subdivision of a tract of land being part of Marshall N. Buford Estate in Sections 15 and 21, Township 45 North - Range 4 East, St. Louis County, Missouri, and that the results of said Survey and Subdivision are correctly represented on this plat. This survey was executed in compliance with the current standards for property surveying and subdivision surveys of the Missouri Department of Natural Resources, Division of Geology and Land Survey. 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 27th day of June, 1986.

ENGINEERING & SURVEYING, INC.
 Richard W. Borwick
 Director of Surveying
 No. Reg. S.S. 41037
 Missouri State Surveyor
 No. Reg. L.S. 0781

STATE OF MISSOURI)
 COUNTY OF ST. LOUIS) SS

On this 27th day of June, 1986, before me personally appeared Alan L. Lieberman, who being by me duly sworn did say that he is the President of Reflections Development Co., 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 Alan L. Lieberman 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: _____
 Notary Public
 DONNA L. LANE

BOOK 249 PAGE 44
 FILED FOR RECORD
 JUN 27 1986
 REC'D OFFICE P.M.
 REC'D OFFICE DEEDS
 ST. LOUIS COUNTY, MO.
 574

The undersigned owners 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 Walden Pond, Walden Pond Lane, of varying widths, Whitman Court, Walden Pond Court, and Sandburg Court, all 20 feet wide private streets, never to be accepted by St. Louis County, Missouri.

The 85-foot wide Road Dedication Strip along the west side of Clarkson Road, which for better identification is shown hachured on this plat is hereby dedicated to the Missouri Highway and Transportation Commission for public use forever.

All easements shown on this plat, unless indicated for other specific purposes, are hereby dedicated to St. Louis County Water Company, Laclede Gas Company, Union Electric Company, Southwestern Bell Telephone Company, Metropolitan St. Louis Sewer District for sanitary sewers only, 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, sewers and drainage facilities. All storm sewers are private and shall remain private forever, never to be maintained by St. Louis County, Missouri.

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 submittal of construction plans and 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 in 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, installation, alteration, repair, operation, removal or rely on any stormwater drainage system until it accepts said easement for dedication.

All common ground easements, such as cul-de-sac islands, are hereby dedicated to the Trustees of the aforementioned subdivision for landscape maintenance.

Building lines as shown on this plat are hereby established. This subdivision is subject to conditions and restrictions filed in Book 7737, Page 127 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 27th day of June, 1986.

REFLECTIONS DEVELOPMENT CO.
 Alan L. Lieberman, President

The undersigned holder or legal owner of notes secured by deed recorded in Book 7840, Page 2271 of the St. Louis County Records, joins in and approves in every detail this subdivision of Walden Pond.

IN WITNESS WHEREOF, it has signed and sealed the foregoing this 27th day of June, 1986.

BOATMEN'S NATIONAL BANK
 T. W. Winick

STATE OF MISSOURI)
 COUNTY OF ST. LOUIS) SS

On this 27th day of June, 1986, before me personally appeared T. W. Winick, who being by me duly sworn did say that he is the Senior Vice President of BOATMEN'S NATIONAL BANK, 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 T. W. Winick 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: _____
 Notary Public

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 COUNTY OF ST. LOUIS) SS

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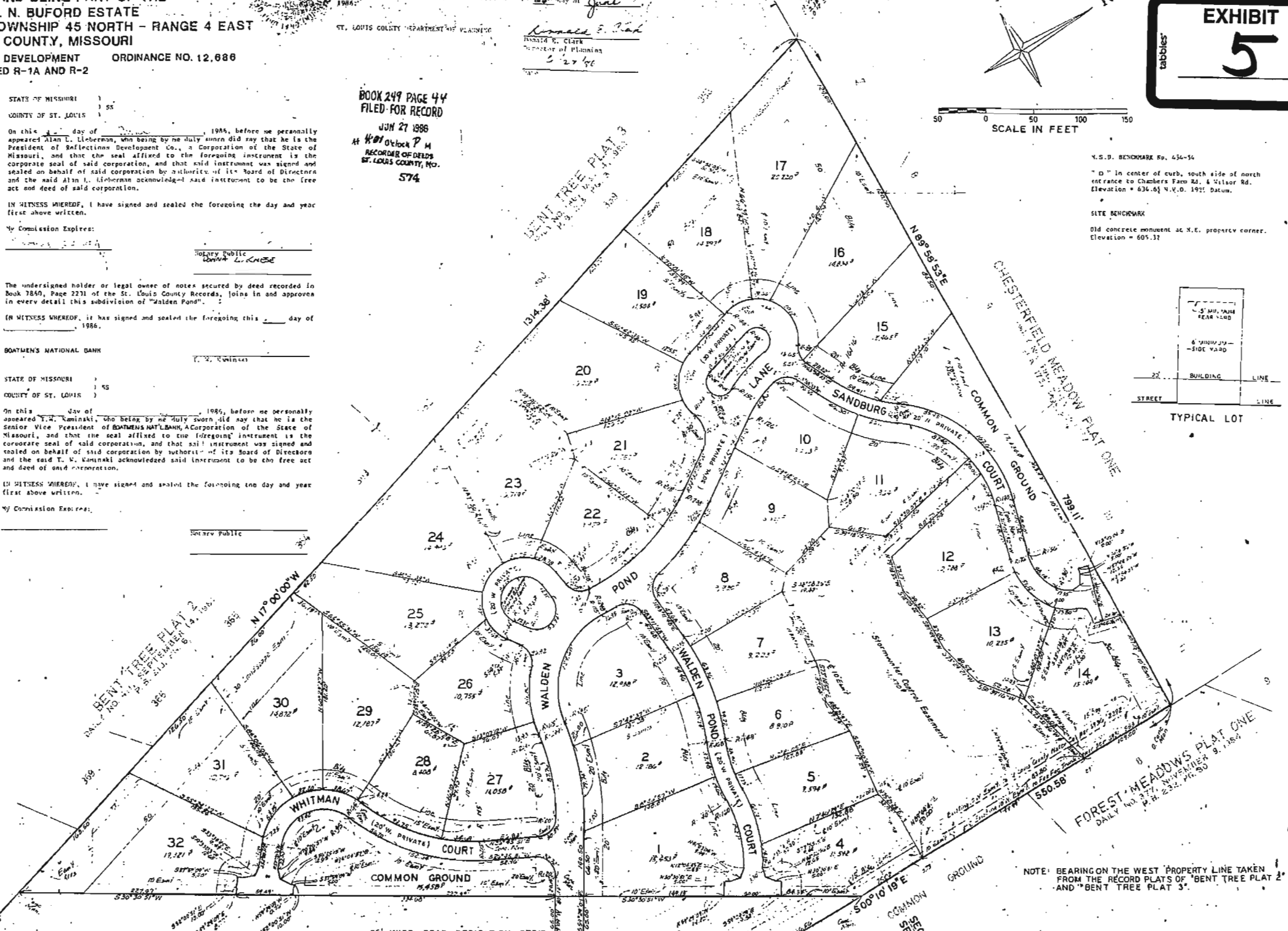
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 Notary Public

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 COUNTY OF ST. LOUIS) SS

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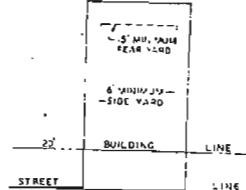
IN WITNESS WHEREOF, I have signed and sealed the foregoing the day and year first above written.

My Commission Expires: _____
 Notary Public



U.S.D. BENCHMARK No. 456-54
 "D" in center of curb, south side of north entrance to Chambers Farm Rd. & Wilson Rd.
 Elevation = 636.61 N.M.D. 1921 Datum.

SITE BENCHMARK
 Old concrete monument at N.E. property corner.
 Elevation = 601.37



NOTE: BEARING ON THE WEST PROPERTY LINE TAKEN FROM THE RECORD PLATS OF "BENT TREE PLAT 2" AND "BENT TREE PLAT 3".

VOLZ ENGINEERING AND SURVEYING, INC.
ELBRING SURVEYING COMPANY
 A SUBSIDIARY
 LAND SURVEYORS, ENGINEERS, LAND PLANNERS
 108 W. INDIAN HEAD IN L. BLVD.
 ST. LOUIS, MISSOURI 63132
 # 93-0964-M PHD 426-6212

CLARKSON ROAD

THIS PLAT CONTAINS 14.176 ACRES.



City of Chesterfield

RECEIVED
JUN 12 2017
City of Chesterfield
Department of Public Services

PLANNING & DEVELOPMENT SERVICES DIVISION

BOARD OF ADJUSTMENT APPLICATION

EXHIBIT
6a.

The Board of Adjustment is a local body consisting of volunteers appointed by the Mayor. It hears requests for variances and appeals of administrative determinations. A variance is a request for relief from the zoning ordinance requirements for a specific parcel. The types of variances heard by 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 Division of Planning & Development Services at 636-537-4746. For information about this and other projects under review by the Division, please visit "Active Projects" at www.Chesterfield.mo.us.

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 Division of Planning & Development Services.

STATE OF MISSOURI)

BOA NUMBER

B.A.02-2017

)

HEARING DATE

07-06-2017

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's

Record: Gipson, Ronnie D Roberta J H/W Trustees

Address: 1931 Sandburg Ct

City: Chesterfield

State: MO

Zip: 63005

Tel.: 636.530.0726

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: 1931 SANDBURG CT

Locator Number(s): 19T310492

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

Acreage: .29 (To the nearest tenth of an acre)

Subdivision Name (If applicable): WALDEN POND

Current Zoning District: R 1A AND R2

Legal Description of Property:

20T630042 8 28 86

(Attach additional sheets as necessary)

III. NATURE OF REQUEST FOR VARIANCE

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

SHALLOW, ANGULAR BACK PROPERTY LINE COMPARED TO NEXT DOOR NEIGHBOR

(Attach additional sheets as necessary)

Description of the necessity of the proposed improvement:

EXISTING DECK IS BEYOND USEFUL/SAFE LIFE AND NEEDS TO BE REPLACED AND BROUGHT UP TO CURRENT CODES

Ordinance Number and section to which a variance is sought:

12914 St. Louis County

(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:

We have lived in this home for the past 26 years and have truly enjoyed the Chesterfield area and our home in Walden Pond Subdivision. The deck that is currently attached to the house is the same as when we moved here in 1991 and we have no desire to change the basic footprint. We would like to upgrade the deck due to the fact that the existing deck has reached the end of its usable (safe) life and of course to bring the deck up to the building codes which Chesterfield now requires.

We have upgraded the back yard of this home to be more pleasing and we think more beautiful with a paver stone patio designed to accent the shape and design of the house and the walkout basement access. If we cannot get this small variance, precipitated by the shallowness of the lot as compared to our neighbors, to rebuild the deck we will have to build a much smaller deck or a deck which requires us to destroy parts or do extensive remodeling of the paver stone patio. Because of the layout of the house and placement of the windows and doors on the back of the house, redesigning the deck to be smaller would make it next to impossible to use for dining or entertaining, it would be not much more than a large porch. We think that our neighbors and Chesterfield deserve something that looks better than that in order to keep the standard of value for the homes in Walden Pond and the general Chesterfield area.

We do understand that you must abide by the rules but there are always exceptions and we are asking for a very small exception in order to just rebuild the deck as it now exist. Thank you so much for your consideration on this matter and are anxiously awaiting your decision.

Ron and Roberta Gipson

(Attach additional sheets as necessary)

Description of the effect or impact on neighboring properties:

THERE WILL BE NO EFFECT ON ANY NEIGHBORING PROPERTY, EASEMENTS OR GREEN SPACE

Adjoining property owners statements attached

(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:	42' REAR BUILDING LINE	50' REAR BUILDING LINE
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. Twenty-five (25) 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. Twenty-five (25) 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:

Existing deck located in setback

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

Yes No. If no, please explain:

Existing deck located in setback

[THIS SPACE INTENTIONALLY LEFT BLANK]

V. STATEMENT OF CONSENT

STATEMENT OF CONSENT

I hereby give CONSENT to _____ (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)

(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: _____

VI. AFFIDAVIT OF COMPLETENESS AND ACCURACY

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

Project Name: RON & ROBERTA GIPSON Submittal Date: 6-2-17
1931 SANDBURG CT

STATEMENT OF COMPLETION AND ACCURACY

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge and that all property owners have full knowledge that the property they own is the subject of this application. 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 and further 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 acknowledge this application, related application material and all attachments become official records of the City of Chesterfield, Missouri and will not be returned. I further acknowledge that additional information may be required by the City of Chesterfield to process this application. No arrangement has been made 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.

Check (✓) one: I am the property owner. I am the contract purchaser.
 I am the duly appointed agent of the petitioner.

RON GIPSON
(Name- type, stamp or print clearly)

Ron Gipson
(Signature)

(Name of Firm)

1931 SANDBURG CT. CHESTERFIELD
(Address, City, State, Zip) MO 63005

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 2 day of June 20 17.

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

Seal/Stamp:

My Commission Expires: 12-7-2020

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

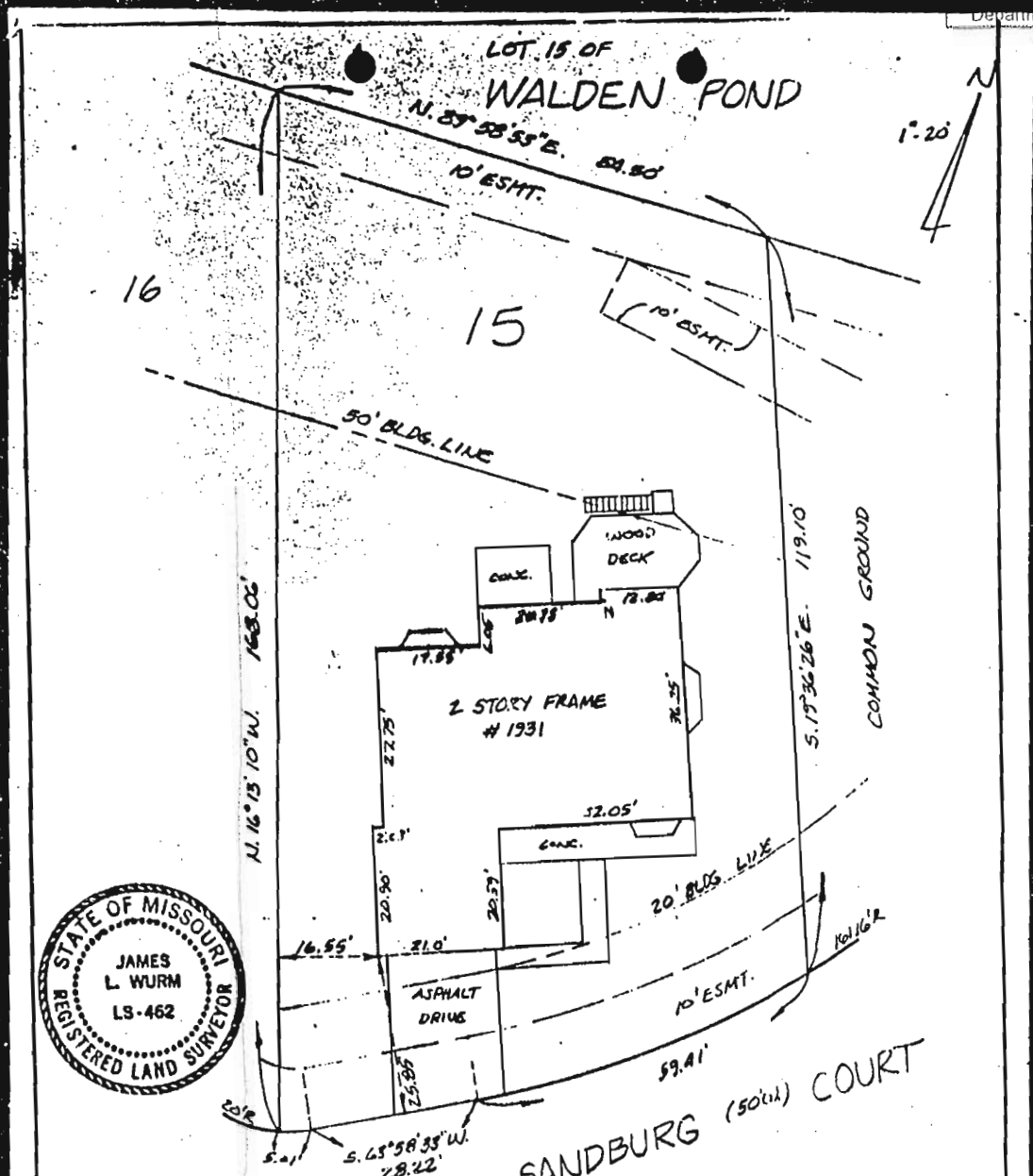
STAFF / BOA USE ONLY

Intake Date: June 12, 2017

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

Signed: _____
Chairman

[THIS PAGE FOR INTERNAL USE]



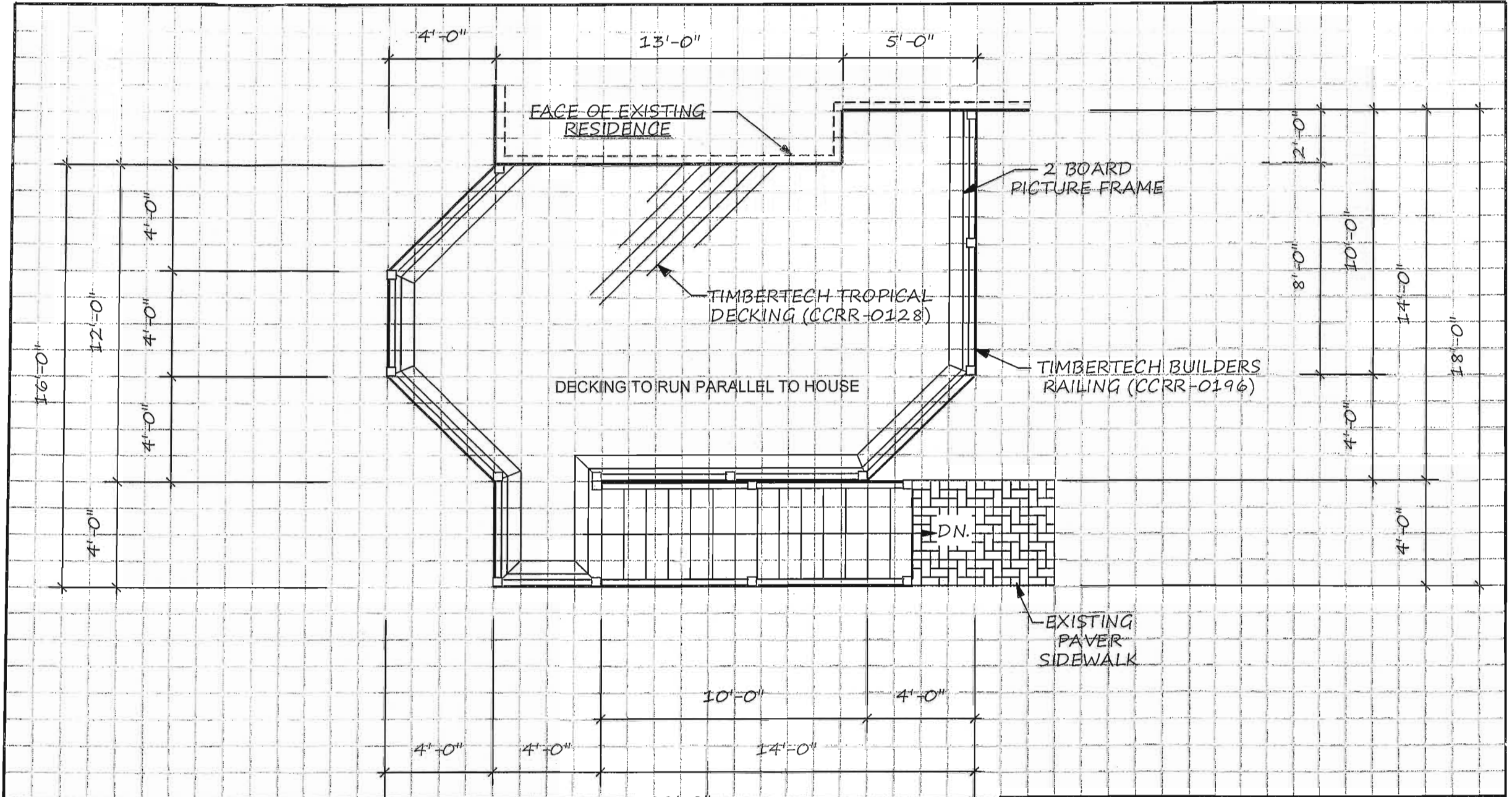
James Engineering and Surveying Company, Inc.
 7810 FORSYTH BOULEVARD, SUITE 300, CLAYTON, MISSOURI 63105 OFFICE: 727-4008

This is to certify that at the request of COMMUNITY TITLE
 we have, on the 1ST day of JANUARY, 1991 made a survey on LOT 15
OF WALDEN POND AS RECORDED IN PLAT BOOK 249 PAGE 44

in ST. LOUIS COUNTY, Missouri, and that result of said survey is represented
 upon this plat.

Survey By: T. LANEMAN Checked By: P.W. JAMES ENGINEERING & SURVEYING COMPANY, INC.
 Drafted By: P. WURM Order# 99796 By: James L. Wurm
 JAMES L. WURM, I.S. 462, PRESIDENT

An agreement has been made by James Engineering & Surveying Company, Inc. and COMMUNITY TITLE
 to perform a survey to locate the existing improvements of said property in accordance
 with the current Missouri Minimum Standards for Property Boundary Surveys, except: (1) The surveyor will not monument
 any corners of the parcel; (2) The plat may not show the legal description of the parcel; (3) The easements and
 assumed bearing reference system shown are obtained from the recorded subdivision plat, unless otherwise referenced;
 (4) We have not shown fence lines, retaining walls and any material variation between the surveyed lines, lines of
 possession or previous surveys, as manifested by fences, survey monuments, wells, or other structures, either on the
 surveyed property or adjoining properties, and the range of such variations has not been determined; (5) The dimensions
 of the parcel and other features will be insufficient to establish property lines and construct fences.



DECK - PLAN VIEW
SCALE: 1/4" = 1' - 0"

FRAMING LUMBER IS #1 GRADE TREATED PINE		
CONTRACTOR:	FENCE & DECK DEPOT	
CUSTOMER:	GIPSON	JOB NO: 0211
DESCRIPTION:	DECK	DATE: 04/10/17
	SHEET #:	1 OF 8

P.O. BOX 8622 SAPPINGTON, MO. 63128

842-2916

Real Color Ad Service.



RECEIVED
 JUN 12 2017
 City of Chesterfield
 Department of Public Services

SUBDIVISION	Walden Pond	CARPETING	X	MLS #	34956	MLS Z AREA	224 Y2
STYLE	2 Story	WINDOW TREATMENT	X	DIRECTIONS: Clarkson South of 40 to Walden Pond Lane to Sandburg, right. (Only house on left).			
CONSTRUCTION	Frame	FIREPLACE LR. FR.	GR				
LOT SIZE	93/85x119/168	DISHWASHER	X				
TAXES	\$2104.59	DISPOSAL	X				
APPROX. AGE	3 years	BLF-IN STOVE E. G.	G	REMARKS Tastefully decorated, display-like home has light, bright great room overlooking treed lot siding to common ground. Many upgrades such as stained glass windows, walk-out LL, whirlpool tub. Great location - a minute from Chesterfield Mall. Exclude: Shower curtain.			
POSSESSION	Negotiable	ATTIC FAN					
FOUNDATION	P/C	CEILING FAN	4				
BASEMENT	Full/Walkout	STORM DOORS					
TYPE ROOF	A/S	STORM WINDOWS	THERMAL				
TYPE HEATING	Gas/FA	DECK	X				
TYPE COOLING	Electric	PATIO					
WATER HEATER	Gas	FENCED YARD					
PARKING	2 car w/opener	INGROUND POOL		LWR. G.R.	20'2x19'9	1ST FLR.	2ND FLR.
SCHOOL DISTRICT	Rockwood	SANITARY SEWER	X	D. R.	14'10x12'1		
ELEM. SCHOOL	Kehrs Hill	SEPTIC TANK		XLT	14x10'4		
JR./SR. HIGH	Crestview/Lafayette	GAS	X	BPK. RM.	12x12		
CATHOLIC PARISH	Ascension	WATER	X	FAM.			
CATHOLIC SCHOOL	Ascension	MUNIC. INSP. REQ.		BTH.	1 1/2		
LENDER	Missouri Savings	TRUSTEE'S FEE	\$350	M. BRM.	17'4x13'6+BRM		
OWNER	Lockwood	MAP COORD.		BRM.		12'1x13'8	
TELEPHONE	537-1036			BRM.		12'11x11'9	
SHOWING INSTR.	Appointment/Multacc on gas meter			BRM.		12'1x11'1	
LISTED BY	Sue Ade (532-7850)			BRM.			

→ ORIGINAL DECK WHEN WE PURCHASED HOME. PJ.

1931 SANDBURG	8	4	2 1/2	CHESTERFIELD	63005	189,900
ADDRESS	ROOMS	BDRMS	BATHS	MUNICIPALITY	ZIP CODE	PRICE

Dierbergs Market Place, 1740 Clarkson Rd., 537-9900
 Mason Woods Village, 13448 Clayton Rd., 878-9911
 Marketplace In Ladue, 9765 Clayton Rd., 997-7600
 Des Peres/Kirkwood, 11780 Manchester Rd., 821-9900

Agents of the
HENRY
 COMPANY, REALTORS

is a legally binding contract; if not understood, seek legal advice.

Approved by Counsel for the St. Louis Association of Realtors and by the St. Louis Association of Realtors[®] to be used exclusively by REALTORS[®]

This statement is to be attached to the Listing Contract (signed by Seller) and Residential Sale Contract (signed by Buyer).

SELLER'S DISCLOSURE STATEMENT

To be Completed by Seller

to be completed by seller concerning the property at 1931 Sandburg (Street Address)

THIS STATEMENT IS A DISCLOSURE OF SELLER'S KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF THE DATE OF THE LISTING AGREEMENT CURRENTLY IN EFFECT. THIS DISCLOSURE IS NOT A WARRANTY OF ANY KIND BY SELLER OR ANY AGENT OF SELLER IN THIS TRANSACTION, AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES BUYER MAY WISH TO OBTAIN. THE FOLLOWING ARE REPRESENTATIONS MADE BY SELLER BASED ON SELLER'S KNOWLEDGE AND DOES NOT CONSTITUTE A WARRANTY OF ANY KIND BY SELLER OR ANY AGENT OF SELLER AND ARE NOT THE REPRESENTATIONS OF THE LISTING BROKER, OR COOPERATING BROKER, THE ST. LOUIS ASSOCIATION OF REALTORS OR THE MULTIPLE LISTING SERVICE.

Seller is is not occupying the property as of the listing date. Seller occupied this property for approximately 3 years. If presently unoccupied, property has been vacant for approximately months. The approximate age of the residence is 3 years.

"N/A" is checked for items either non-existent or not offered for sale. "Yes" is checked for items presently in working condition and having no known defects. Otherwise, "No" is checked.

	N/A	YES	NO	REPLACE OR REPAIR DATE		N/A	YES	NO	REPLACE OR REPAIR DATE
umbing system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Trash compactor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ells	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Shower enclosure & Pan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
stern	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ceiling fan(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ropic system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Attic fan(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ublic sewer system	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TV antenna	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ublic water system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Cable TV wiring	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ump pump	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fire detection equipment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ater heater	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Security system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ectrical system	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Intercom system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ighting fixtures	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Electronic garage door opener & control(s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
eating system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Automatic lawn sprinkler system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
all/floor heating equipment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water softener	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
umidifier(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Satellite dish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e-humidifier(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sauna and equipment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
lectronic air cleaner(s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hot Tub and equipment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ooling system	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Swimming pool	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
all/window air conditioning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Swimming pool equipment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
xterior gas lights	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Swimming pool heater	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
as fired barbeque	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pool decking	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
.PG Tanks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Tennis court	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
itove	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Wood burning fireplace	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ook Top	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gas fireplace	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
oven	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Decorative fireplace (non-functional)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
refrigerator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Wood burning stove	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
reezer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gutters & downspouts	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
icrowave	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Washer/dryer hookups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ishwasher	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Patio	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
arbage disposal	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Deck	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
entilation & exhaust fan(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Windows	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The items listed above included in the sale are owned free and clear by Seller except for (list any LEASED equipment or systems): _____

Additional notes (or attach sheet): ① Commercial cable not hooked up

II. UTILITIES (water, sewer, gas, electricity, telephone) are available and connected to the property except: _____

Property conditions and improvements.

Basement: Has there been evidence of or problems with water leakage? Yes No If yes, please explain, including the frequency and extent of the problem.

There is a crack in basement wall which was filled with mortar but no leak

2. Insulation: Describe as known *Attic is blown and - walls and batts*

Has urea formaldehyde foam insulation (UFFI) been installed? Yes No Unknown . Has not been installed since _____ (date). If removed, by whom and when?

3. Roof: Approx. age of roof 3 Leaks? No. If yes, please explain, including the frequency and extent of the problem

History of Repairs

4. Termite infestation: Yes No Unknown . If yes please describe.

Any treatments for infestations? No

Is there any known uncorrected damage? No

5. Asbestos: Is asbestos present in any form in the property? Yes No Unknown . If yes, where?

Has asbestos been removed or encapsulated? Yes No Unknown . If removed, from where?

When? _____ (date) and by whom? _____

6. Radon: Has the property been tested for the presence of radon gas? Yes No . If yes, what were the test results?

7. Lead Based Paint: Is lead based paint present in any form in the property? Yes No Unknown . If yes, where?

8. Are you aware of any other environmental concerns affecting the property. Yes No . If yes, describe

9. Flood Plain: Property is _____ is not located in a flood plain. (If unknown, flood plain letter ordered at seller's expense)

10. Seller will will not provide home warranty policy at Seller's expense. If not provided, Buyer has option to purchase home warranty policy.

Seller will transfer current H.O.W. warranty on property

IV. Are you, as seller, aware of any of the following:

1. Features of the property shared in common with adjoining landowners, such as walls, fences, roads and driveways whose use or responsibility for maintenance may have an effect on the property? Yes No Unknown . If yes, describe

2. Any rights of way, easements, encroachments or similar matters that may affect your interest in the property Yes No Unknown . If yes, describe

3. Room additions, structural modifications, or other alterations or repairs made without necessary permits and/or approvals? Yes No Unknown . If yes, describe

4. Settling, flooding, drainage, grading or soil problems? Yes No Unknown . If yes, describe

Previous structural repairs? Yes No Unknown . If yes, describe

5. Major damage to the property or any of the structures from fire, wind, floods, landslides or earthquake? Yes No Unknown . If yes, describe

6. Any zoning violations or non conforming uses? Yes No Unknown . If yes, describe

7. Is there a subdivision/condominium association that has authority over property? Yes No Unknown . If yes, describe and what are the fees? *There is a Subdiv. Assoc. Annual fee of \$350*

8. Are there any existing or proposed special assessments? Yes No Unknown . If yes, describe

9. Any "common areas" (facilities such as pools, tennis courts, walkways, or other areas co-owned in undivided interest with others)? Yes No Unknown . If yes, describe *There is common ground and pool in Subdivision owned by all residents.*

10. Please state any other facts or information relating to this property that would be of concern to a buyer None

V. Seller acknowledges that he has carefully examined this statement and that it is complete and accurate to the best of Seller's knowledge. Seller agrees to immediately notify Listing Broker in writing of any changes in the property condition. Seller authorizes Listing Broker, any co-operating Broker, Buyers Broker, and their agents to furnish a copy of this statement to prospective Buyers.

Quint P. Lockwood 9/18/90
(Seller) (Date)

Quint P. Lockwood 9/18/90
(Seller) (Date)

VI. Buyer is urged to carefully inspect the property and if desired, to have the property inspected by an expert or experts. Buyer understands that there are areas of the property of which Seller has no knowledge and that this disclosure statement does not encompass those areas. Buyer also acknowledges that Buyer has read and received a signed copy of this statement from Seller or Seller's agent.

Ken D. Dyer 12/4/90
(Buyer) (Date)

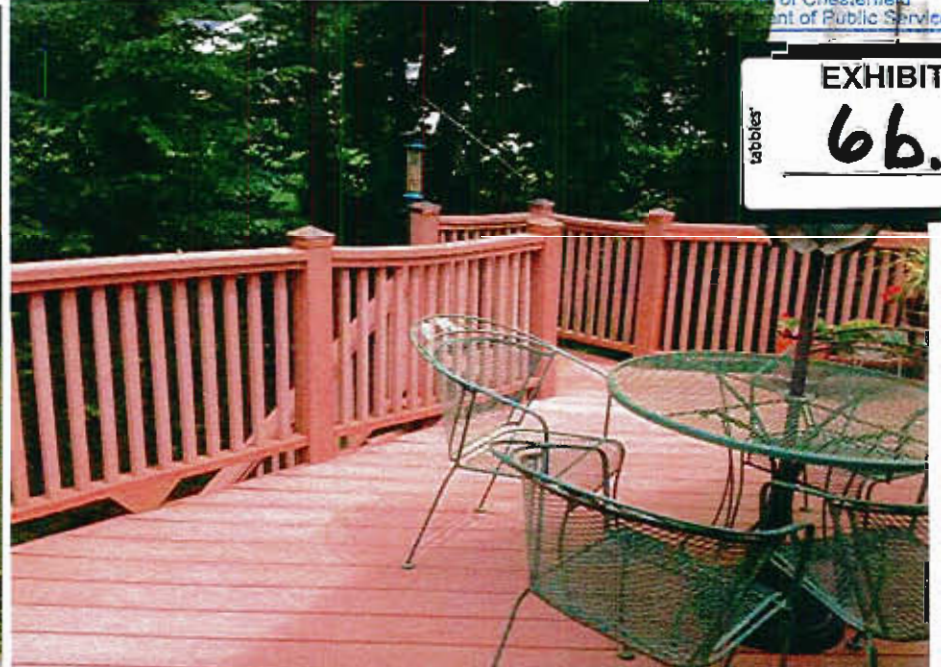
Robert J. Dyer 12-5-90
(Buyer) (Date)

JUN 12 2017

City of Chesterfield
Department of Public Services

EXHIBIT
66.

tabbies





As adjoining landowners to Ron and Roberta Gipson, 1931 Sandburg Court, Chesterfield, Missouri, 63005 in Walden Pond Subdivision we understand that they are requesting a variance from the back of the 50 ft. building line. This request is to rebuild the existing deck structure which is in need of upgrading not only for aesthetic reasons but to conform to current codes which did not exist when the deck was first constructed in 1986.

Since this changes very little of the basic footprint from existing structure to the new one we see no reason to deny this variance and we do give our approval.



Yours truly

BEZA & PAMELA GHODRATI
16174 WALDEN POND LANE, CHESTERFIELD, MO 63005
SIGN: Beza Ghodrati Pamela Ghodrati

As adjoining landowners to Ron and Roberta Gipson, 1931 Sandburg Court, Chesterfield, Missouri, 63005 in Walden Pond Subdivision we understand that they are requesting a variance from the back of the 50 ft. building line. This request is to rebuild the existing deck structure which is in need of upgrading not only for aesthetic reasons but to conform to current codes which did not exist when the deck was first constructed in 1986.

Since this changes very little of the basic footprint from existing structure to the new one we see no reason to deny this variance and we do give our approval.

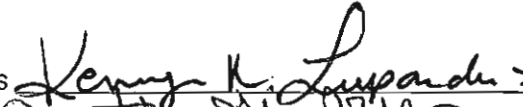
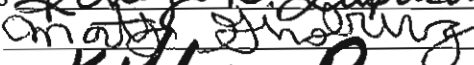
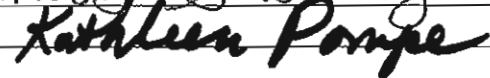
Yours truly

JAMES & MARY TWELLMAN [15800 Lymington Cmn (Chesterfield | Mo | 63005)]

We understand that Ron and Roberta Gipson, 1931 Sandburg Court, Chesterfield, Missouri in the Walden Pond Subdivision are requesting a variance in order to rebuild their deck. This request is to rebuild the existing deck structure which is in need of upgrading not only for aesthetic reasons but to conform to current codes which did not exist when the deck was first constructed in 1986.

Since this changes very little of the basic footprint from the existing structure to the new one we, the trustees of Walden Pond Subdivision, see no reason to deny this variance and do give our approval.

Yours truly

Kenny Lupardus  _____
Marty Ginsburg  _____
Kathleen Pompe  _____



City of Chesterfield

OFFICE USE ONLY	
MZA #:	0081-170480
Locator #:	
Subdivision:	Lot 15 WA Walden Pond RIA

RECEIVED
City of Chesterfield
MAY 12 2017

II. MUNICIPAL ZONING APPROVAL APPLICATION (MZA)

Please type or print legibly in ink, complete all parts, and sign and date application.
Completed application and all other requirements must be submitted to the City of Chesterfield
Planning and Development Services Division.

EXHIBIT
6d.

Project Address: 1931 SANDBURG CT, CHESTERFIELD, MO Zip: 63005

Property Owner Name(s): RONNIE AND ROBERTA GIPSON

Property Owner Address (if different than above): _____

City: _____ State: _____ Zip: _____

E-mail: gipsonr8648@gmail.com

Tenant Name (if different than above): _____

Existing Tenant Proposed Tenant

Applicant Name: FENCE AND DECK DEPOT Attn: DUANE HUGGINS

Applicant Address: 513 N EATHERTON RD.

City: WILDWOOD State: MO Zip: 63305

Phone Number: 636.272.8989 Fax: _____

E-mail: duane@fenceanddeckdepotinc.com

Description of Work:
REPLACE EXISTING DECK AND STAIRS TO GRADE

FOR EXTERIOR RESIDENTIAL WORK ONLY, PLEASE SIGN THE FOLLOWING:
As the Property Owner of the above-referenced address, I have notified all subdivision trustees and adjacent property owners of said application.
Ron Gipson
Signature

FOR RESIDENTIAL AND COMMERCIAL USE

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION AND ACCOMPANYING PLANS IS TRUE AND CORRECT, AND THAT I WILL CONFORM TO ALL APPLICABLE LAWS OF THE CITY OF CHESTERFIELD AND ST. LOUIS COUNTY. (Note: Applicant or Tenant applying for Municipal Zoning Approval cannot sign on behalf of the Property Owner.)
PROPERTY OWNER SIGNATURE: Ron Gipson DATE: 5/12/17
APPLICANT SIGNATURE: Duane Huggins DATE: 5-12-17
(If other than Property Owner)



City of Chesterfield
Municipal Zoning Application

Rejected

MZA_170480

Date: 5/30/2017

Property Address	Subdivision	Lot
1931 SANDBURG CT	81 WALDEN POND	15

Locator #	Ward	Date Received	Flood Plain
19T310492	4	5 /12/2017	NO

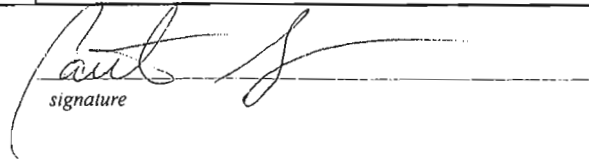
Zoning Class	Type
R1A	Porch/Patio/Deck

Property Owner	Tenant
Ronnie & Roberta Gipson	

Applicant
Fence & Deck Depot

Comments
 5/12/2017 - Complete - KKelley - a copy of the trustee email sent by staff is included with the application.
 Additional trustees to receive mail notification.
 Assigned to caitlin sungur.
 5/16/17 - deck is in rear-yard setback. Emailed applicant notifying them and asking for resubmittal
 5/16/2017 - Resubmission Required - csungur -
 5/30/2017 - Rejected - csungur - going to BOA

Status	Rejected	5 /30/2017	by Caitlin Sungur, Planning Technician
--------	----------	------------	--


signature

ADVISORY:

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

LOT 15 OF
WALDEN POND

N. 89° 58' 55" E. 84.50'
10' ESMT.

1" = 20'



16

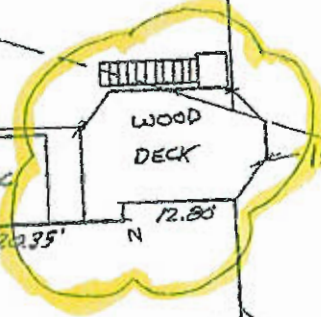
REJECTED

15

DATE: 8/5/30/17
BY: [Signature]

N. 16° 13' 10" W. 168.06'

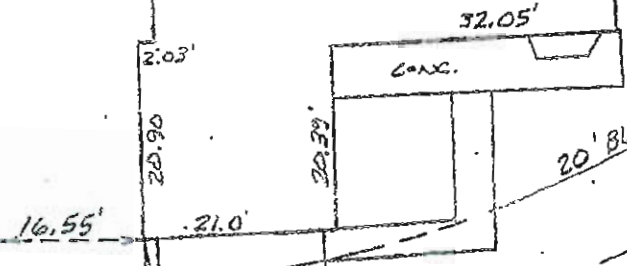
10' BLDG. LINE



2 STORY FRAME # 1931

119.10'
5.19° 36' 26" E.

COMMON GROUND



20' BLDG. LINE

ASPHALT DRIVE

10' ESMT.

SANDBURG (50W.) COURT

5.01' 5.63° 58' 33" W. 28.22'



Board of Adjustment
City of Chesterfield, Missouri

In Re:)
Ron and Roberta Gipson)
1931 Sandburg Court)
Chesterfield, MO 63005)
)
)

FINDINGS OF FACT AND CONCLUSIONS OF LAW
REGARDING THE VARIANCE REQUEST APPLICATION (B.A. 02-2017)
FOR THE PROPERTY LOCATED AT 1931 SANDBURG COURT

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 denying the Variance request (B.A. 02-2017) submitted on behalf of Ron and Roberta Gipson:

FINDINGS OF FACT

1. That on June 12, 2017, Ron and Robert Gipson (the "Applicants"), submitted a request for Variance (B.A. 02-2017) approval that would allow a proposed deck structure to be constructed within the required fifty foot (50') rear set back area, per the Walden Pond Record Plat, on their property within the R1-A and R-2 Residential Zoning Districts with a Planned Environment Unit (PEU), located at 1931 Sandburg 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 June 12, 2017, the applicant submitted a check for the Variance application fee to the City of Chesterfield.
3. That on June 30, 2017 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 at 6:00 p.m., July 6, 2017, 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 part of a proposed deck structure to be within the required 50' rear set back area per the Walden Pond Record Plat, on their property located within the R1-A and R-2 Residential Zoning Districts with a Planned Environment Unit (PEU), located at 1931 Sandburg, Chesterfield, MO.

4. That on June 30, 2017 a notification was mailed by certified U.S. Mail to property owners and all adjacent property owners of 1931 Sandburg, informing them that the Board of Adjustment of the City of Chesterfield would hold a Public Hearing at 6:00 p.m., on July 6, 2017 to consider Applicant's request for a variance.
5. That on June 30, 2017 a notification was mailed by certified U.S. Mail to all subdivision trustees of the Walden Pond and Chesterfield Meadows subdivisions, informing them that the Board of Adjustment of the City of Chesterfield would hold a Public Hearing at 6:00 p.m., on July 6, 2017 to consider Applicant's request for a variance.
6. That on June 30, 2017 the Public Hearing Notice for the July 6, 2017 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 July 6, 2017 a Public Hearing was held by the Board of Adjustment to consider Applicant's request for a variance. At that time the Applicants, Ron and Roberta Gipson, were present at the Public Hearing to present their request for Variance approval to the Board of Adjustment.
8. That on July 6, 2017 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 July 6, 2017 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. 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:)
Ron and Roberta Gipson)
1931 Sandburg Court)
Chesterfield, MO 63005)
)
)
)

**FINDINGS OF FACT AND CONCLUSIONS OF LAW
REGARDING THE VARIANCE REQUEST APPLICATION (B.A. 02-2017)
FOR THE PROPERTY LOCATED AT 1931 SANDBURG COURT**

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. 02-2017) submitted on behalf of Ron and Roberta Gipson:

FINDINGS OF FACT

1. That on June 12, 2017, Ron and Robert Gipson (the "Applicants"), submitted a request for Variance (B.A. 02-2017) approval that would allow a proposed deck structure to be constructed within the required fifty foot (50') rear set back area, per the Walden Pond Record Plat, on their property within the R1-A and R-2 Residential Zoning Districts with a Planned Environment Unit (PEU), located at 1931 Sandburg 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 June 12, 2017, the applicant submitted a check for the Variance application fee to the City of Chesterfield.
3. That on June 30, 2017 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 at 6:00 p.m., July 6, 2017, 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 part of a proposed deck structure to be within the required 50' rear set back area per the Walden Pond Record Plat, on their property located within the R1-A and R-2 Residential Zoning Districts with a Planned Environment Unit (PEU), located at 1931 Sandburg, Chesterfield, MO.

4. That on June 30, 2017 a notification was mailed by certified U.S. Mail to property owners and all adjacent property owners of 1931 Sandburg, informing them that the Board of Adjustment of the City of Chesterfield would hold a Public Hearing at 6:00 p.m., on July 6, 2017 to consider Applicant's request for a variance.
5. That on June 30, 2017 a notification was mailed by certified U.S. Mail to all subdivision trustees of the Walden Pond and Chesterfield Meadows subdivisions, informing them that the Board of Adjustment of the City of Chesterfield would hold a Public Hearing at 6:00 p.m., on July 6, 2017 to consider Applicant's request for a variance.
6. That on June 30, 2017 the Public Hearing Notice for the July 6, 2017 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 July 6, 2017 a Public Hearing was held by the Board of Adjustment to consider Applicant's request for a variance. At that time the Applicants, Ron and Roberta Gipson, were present at the Public Hearing to present their request for Variance approval to the Board of Adjustment.
8. That on July 6, 2017 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 July 6, 2017 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. 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