



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 12, 2012

From: Aimee Nassif, AICP
Planning and Development Services Director

Location: 1483 Country Lake Estates Drive

Applicant: Mark and Kelly Bulanda

Description: **B.A. 01-2012 1483 Country Lake Estates Drive (Mark and Kelly Bulanda):**
A request for a variance from City of Chesterfield Ordinance 1238 for Lot 30 of Country Lake Estates to allow construction of a structure within an “undisturbed area” on a 24,187 square foot tract of land zoned R-1 PEU. (18V320388)

PROPOSAL SUMMARY

Country Lake Estates is a Planned Environment Unit or “PEU” and is governed under the terms and conditions of City of Chesterfield Ordinance Number 1238. Mark and Kelly Bulanda are requesting a variance from the Landscape Requirements section of the development agreement which created the Country Lake Estates subdivision. The purpose of the variance request is to allow for the construction of a batting cage structure within an area required to be left as an “undisturbed strip” on the Bulanda’s lot.

An application submitted by the Petitioner 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 for said construction, which was rejected by the Planning and Development Services Division on April 23, 2012.

SITE HISTORY AND EXISTING CONDITIONS

In 1996 Premier Homes requested a zoning map amendment to the "R-1" Residence District for a 46.7 acre tract of land. In addition, the Petitioner requested consideration of a Planned Environment Unit or "PEU". A PEU is a zoning tool used by municipalities across the county to encourage flexibility in density requirements and design standards that will result in and promote superior developments. A PEU allows a developer to increase the density in their development when design features such as clustering of development, quality mix of land uses and preservation of natural and scenic features and open space is provided.

The total gross area of this development site was 46.7 acres, however the net area for development, after flood plain areas and areas reserved for right-of-way was considered, this site yielded approximately 41 acres of developable land. Therefore, under the "R-1" District category 41 single family homes on one acre lots each would be permitted.

Premier Homes requested consideration of the PEU for this area in order to obtain flexibility in the City's design standards and Zoning Ordinance requirements which would allow them to increase the number of new homes they could build and reduce the size of the lots for each home.

During the Public Hearing in 1996 speakers from the surrounding area came out and spoke in support of this development, in opposition, and neutral. Concerns that were expressed at these meetings from residents included such items as traffic and buffering from existing development. In response to concerns expressed by the residents of Wild Horse Subdivision, attorney Ed Griesedieck, representing Premier Homes, wrote a letter to the Department requesting inclusion of a "do not disturb strip" between the Premier Homes development and Wild Horse Subdivision as part of the required improvements.

This letter is attached hereto and marked as Exhibit 7.

On March 18, 1996 the City Council approved legislation authorizing a PEU development with the inclusion of a do not disturb strip to provide a natural vegetative buffer between this new development and the residents in Wild Horse Subdivision.

The language from the current PEU ordinance states the following:

"Indicate on the Site Development Plan the retention of an undisturbed strip along the western perimeter of the development adjoining the homes on Bridgeway Circle in the Wild Horse Subdivision. The undisturbed strip shall be 50 foot minimum width along the rear of Lots 30 through 34 and 36, and 40 foot minimum width behind Lot 35, as depicted on the preliminary plan."

A copy of this ordinance is attached hereto and marked as Exhibit 5.

Figure 1: shows the border of Country Lake Estates from Wild Horse Subdivision. The natural woodland area required to remain as an undisturbed area serves as the border between each development.



Figure 2: aerial of the site with subject site indicated



Figure 3: close up of subject site



Ordinance number 1152 which established the PEU was later amended in March 1997 at the request of the developer. The developer sought to amend one of the development conditions related to the paving of the emergency access off of Private Valley Drive. All other development conditions and requirements remained intact and this site is now governed under the terms and conditions of Ordinance number 1238. Requirements included in this PEU ordinance or any planned district ordinances are required in perpetuity. ***After a developer has finished construction, the required improvements associated with the development that were a condition of approval, remain as requirements and cannot be removed. The only way to amend the conditions or requirements of approval within a PEU ordinance is to seek an ordinance amendment through the City Council as Premier Homes did in 1997 pertaining to the emergency access easement.***

In the summer of 1996 the site development plan was approved. As required per ordinance, the site development plan showed the location and width of the required undisturbed area behind several lots, including Lot 30. Following the site development plan, the developer submitted the record plat for review.

BOARD OF ADJUSTMENT POWERS AND RESPONSIBILITIES

In consideration of a request for a variance, the Board of Adjustment is required to follow State Statute and 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 Petitioners, Mark and Kelly Bulanda, are requesting a variance to allow removal of trees and construction to commence within the limits of the do not disturb area in order to accommodate a new structure (a batting cage). The Petitioners have stated that they were not aware that this undisturbed area existed when they purchased their home and now have restricted rights to the use of their property. In addition, the Petitioners have also claimed that other neighbors have removed trees within this area previously. Please refer to the attached application for full statement from the applicant. The Petitioners have also included photos of their property and a letter of support from one of the subdivision trustees.

The Petitioners are requesting a variance to allow for the removal of trees within the do not disturb area for construction of a batting cage. No other variance or request is being sought.

DEPARTMENT REVIEW AND RECOMMENDATION

The Department of Planning, Public Works and Parks has reviewed the request and submits the following information for the Board’s consideration during review.

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).

Chapters 2-216 of the Chesterfield City Code states that the Board can grant variances to yard requirements when practical difficulties or unnecessary hardships exist in carrying out the provision due to an irregular lot shape, lot size, topography or other related matter.

In addition, 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).

In reviewing the statement of practical difficulty, several factors are to be considered. First, are there practical difficulties or unnecessary hardships that exist with the land which renders the property owner unable to adhere to the requirements of the PEU ordinance? **Staff has reviewed all the applicable files and does not believe that a hardship has been proven.** The undisturbed buffer was negotiated during the zoning process with the developer upon receipt of a letter from the developer requesting the inclusion of this requirement. If a hardship or practical difficulty existed with the land, than the developer would have discovered such difficulty when he was engineering and designing the site.

Secondly, the Petitioners state that they were unaware of this requirement when they purchased their property because it was not included in their paperwork when they purchased the property. The undisturbed area was shown on all documents required by the City. The City makes all ordinances and plans available for view by the public at any time. However, we are not a party to any private sales contracts between existing and potential property owners. While it is unfortunate that the property owners were not made aware of this requirement, it does not negate the requirement itself.

Another question that must be asked is, if the variance is approved would the spirit of the ordinance still be carried out? Staff believes the answer is no. We have reviewed the ordinance, the meeting minutes, and correspondences in the zoning files and believe that if the variance were approved, the spirit of the PEU ordinance would not be carried out. The purpose of this requirement was to provide a vegetative buffer between Country Lake Estates Subdivision and Wild Horse Subdivision. If this variance is approved, the petitioners would be permitted to clear this area. Attached hereto are letters of opposition from various property owners in both Country Lake Estates and Wild Horse Subdivisions marked as Exhibit 9.

Lastly, the Board of Adjustment cannot amend or modify development conditions when a process exists for such a request. Just as was done in 1996 for this PEU Ordinance, the Petitioners could request an amendment to the PEU Ordinance to remove or modify the undisturbed area requirement. While this would be a longer process, more intensive process, a process nonetheless does exist. **It is not appropriate to seek or be granted a variance from an ordinance requirement simply because an applicant does not want to go through the established development process by the City.**

Upon review of this Application, all appropriate Codes and Ordinances, Staff recommends denial of the requested variance by the Petitioners.

Respectfully-submitted,



Aimee E. Nassif, AICP
Planning and Development Services Director

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. City of Chesterfield Ordinance 1238
6. Approved Site Development Plan
7. Letter from Ed Griesedieck dated March 7, 1996
8. Planning Commission report dated June 24, 1996
9. Letters of opposition from neighbors in both Country Lake Estates and Wild Horse Subdivisions
10. Petitioner's Application
 - a. Application to Board of Adjustment
 - b. Letter of support from the trustees
 - c. Site and surrounding area photographs
 - d. Rejected Application for Municipal Zoning Approval

**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 12, 2012 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. 01-2012 1483 Country Lake Estates Drive (Mark and Kelly Bulanda): A request for a variance from City of Chesterfield Ordinance 1238 for Lot 30 of Country Lake Estates to allow construction of a structure within an "undisturbed area" on a 24,187 square foot tract of land zoned R-1 PEU. (18V320388)



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 Aimee Nassif, Planning and Development Services Director by telephone at 636-537-4749 or by email at anassif@chesterfield.mo.us.

City of Chesterfield
Aimee Nassif, AICP
Planning and Development Services Director

- r. Traffic generation assessment contributions shall be deposited with St. Louis County in the form of a cash escrow prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development.

Landscape Requirements

- s. All new deciduous trees shall be a minimum of two and one-half (2 1/2) inches in caliper. All new evergreen trees shall be a minimum of four (4) feet in height, and all shrubs shall have a minimum diameter of eighteen (18) inches.
- t. Indicate on the Site Development Plan those areas which will be disturbed and those areas which will remain undisturbed.
- u. All landscape improvements shall be escrowed along with standard subdivision improvements.
- v. Indicate on the Site Development Plan the retention of an undisturbed strip along the western perimeter of the development adjoining the homes on Bridgeway Circle in the Wild Horse Subdivision. The undisturbed strip shall be 50 foot minimum width along the rear of Lots 30 through 34 and 36, and 40 foot minimum width behind Lot 35, as depicted on the Preliminary Plan.

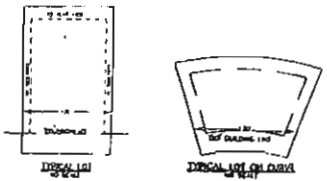
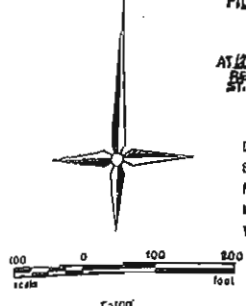
Miscellaneous Improvements

- w. Except for required street lighting, no source of illumination shall be so situated that light is cast on any public right-of-way or adjoining property. Lighting shall be required in compliance with the City of Chesterfield Subdivision Ordinance.
- x. Required street lighting and sidewalks within the development shall be depicted on the Site Development Plan, and escrows shall be established for these improvements.
- y. Any signs shall be erected in accordance with the "R-1" Residence District.
- z. Exterior trash areas in common ground, if any, shall be surrounded by a six (6) foot high sight-proof fence.
- aa. All stormwater sewers and appurtenances shall be designed per City of Chesterfield and Metropolitan St. Louis Sewer District design standards.
- bb. The developer is responsible for obtaining the necessary easements and temporary construction licenses necessary to construct and dedicate the stormwater and sanitary sewer systems.

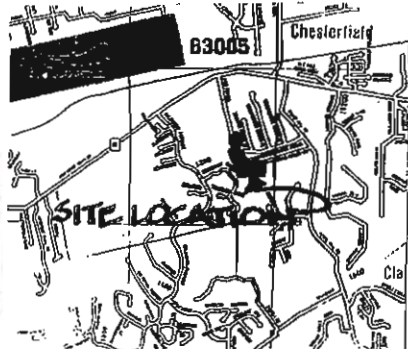
COUNTRY LAKE ESTATES

A TRACT OF LAND IN U.S. SURVEY 1010 & FRACTIONAL SECTION 12,
TOWNSHIP 46 NORTH, RANGE 4 EAST, ST. LOUIS, MISSOURI

BOOK 344, PAGES 60 and 61
FILED FOR RECORD
JUL 23 1956
AT 12:10 P.M.
RECORDS OF DEEDS
ST. LOUIS COUNTY, MO.
650
DOCUMENT \$ 100.00
STATE USER \$ 4.00
FAN FUND \$ 3.00
MHT FUND \$ 3.00
TOTAL \$ 110.00



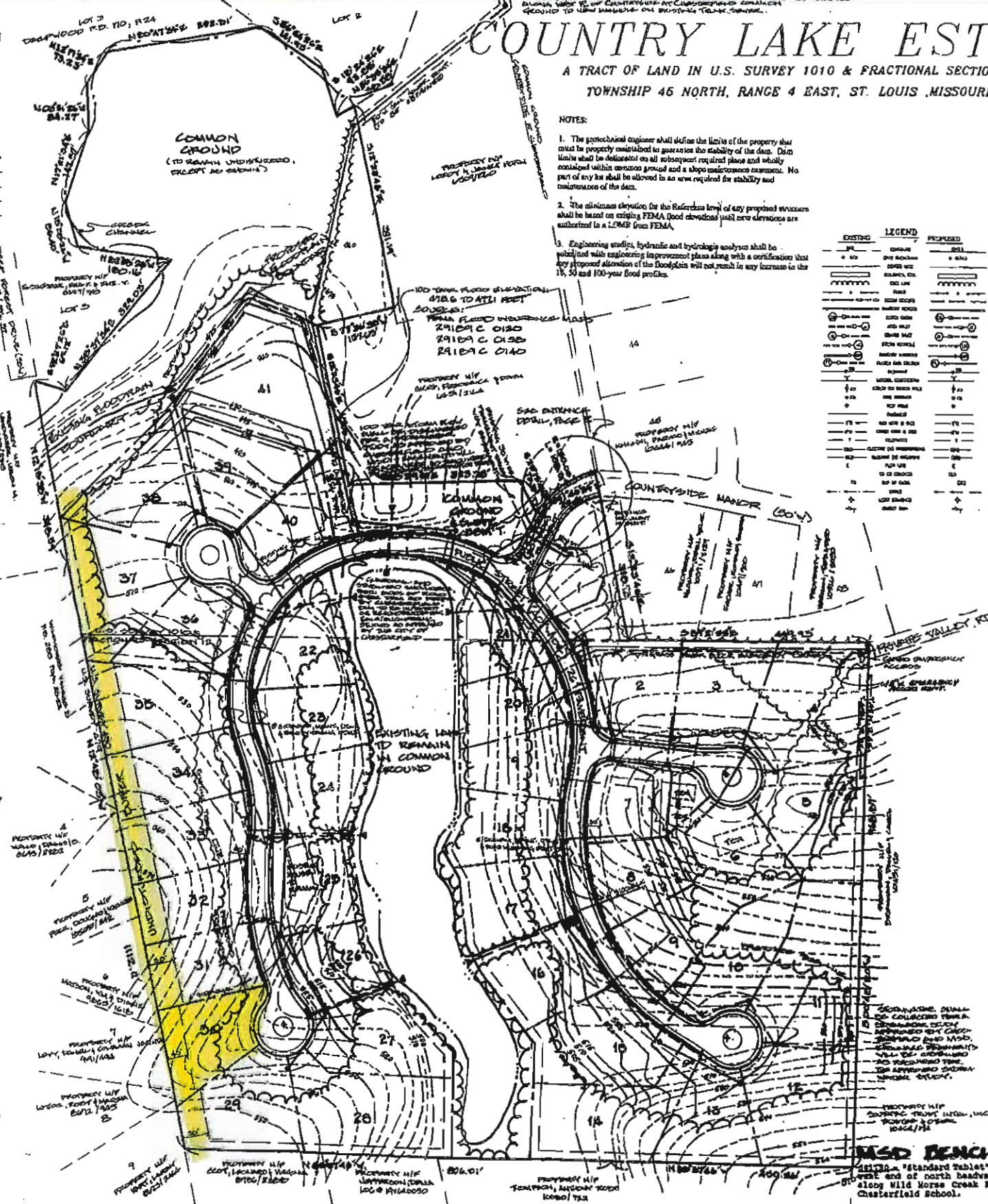
NOTE: 2' MIN. BETWEEN STRUCTURES
MIN. LOT SIZES PER GENERAL NOTES
AND INFORMATION



A tract of land in U.S. Survey 1010 and Fractional Section 12, Township 46 North, Range 4 East, St. Louis County Missouri, being more particularly described as follows:

Beginning at the Southwest corner of Parcel "B" for Schaeffer/Meyerhauser Parcel, recorded in Plat Book 210, Page 1 of the St. Louis County Records in the East line of U.S. Survey 479; thence along the East line of U.S. Survey 479 and 450 North 12°48'01" West 1112.11 feet and North 12°18'38" West 148.55 feet to the Southeast corner of Deep Woods, a subdivision recorded in Plat Book 170, Page 24 of the St. Louis County Records; thence along the South line of said Deep Woods, the following: South 72°27'26" East 67.12 feet, North 12°37'34" East 293.03 feet, North 62°58'12" East 180.16 feet, North 12°18'25" West 86.40 feet, North 17°21'34" East 147.57 feet, North 02°51'26" West 64.27 feet, North 32°17'34" East 71.21 feet, North 80°47'24" East 292.31 feet, South 85°54'26" East 141.95 feet, South 10°24'12" East 93.85 feet, and North 55°12'24" East 38.58 feet to the Northeast corner of property described in deed to Leroy and Janet Horn, recorded in Book 6309, Page 560 of the St. Louis County Records; thence along the West line of said Horn property South 12°23'46" East 391.19 feet to the North line of Parcel "A" of said Boundary Adjustment Plat for Schaeffer/Meyerhauser Parcel;

thence along said North line South 77°36'33" West 157.65 feet to its Northwest corner; thence along the West line of said Parcel "A" South 12°23'46" East 300.35 feet to its Southwest corner; thence along the South line of said Parcel "A" the following: South 82°39'07" East 323.25 feet, South 26°13'46" East 70.21 feet, thence North 43°40'34" East 29.46 feet to a point of curve; thence Northwesterly along a curve to the right, which radius point bears South 48°19'26" East 180.00 feet, a distance of 108.31 feet to the West line of Countryside at Chesterfield Plat Three, a subdivision recorded in Plat Book 325, Pages 77 and 78 of the St. Louis County Records; thence along the aforesaid West line South 12°23'46" East 316.78 feet to its Southwest corner; thence along the South line of said Countryside at Chesterfield Plat Three, South 82°11'55" East 449.53 feet to the Northeast corner of property described in deed to Kenneth H. and Gays S. Graefer, recorded in Book 7896, Page 2407 of the St. Louis County Records; thence along the East line of said Graefer property South 00°45'20" West 958.87 feet to its Southeast corner; thence North 69°37'41" West 1286.22 feet to the point of beginning and containing 46.7 Acres, more or less.



NOTES:
1. The professional engineer shall define the limits of the property that must be properly maintained to guarantee the stability of the dam. Dam limits shall be delineated on all subsequent required plans and shall be contained within various ground and a slope maintenance easement. No part of any lot shall be allowed in an area required for the stability and maintenance of the dam.
2. The minimum elevation for the finished level of any proposed structure shall be based on existing FEMA Flood elevations plus new elevations as authorized in a LOMR from FEMA.
3. Engineering studies, hydraulic and hydrologic analyses shall be submitted with engineering improvement plans along with a certification that any proposed alteration of the floodplain will not result in any increase in the 1%, 5% and 100-year flood profiles.

EXISTING	LEGEND	PROPOSED
---	ROAD	---
---	RAILROAD	---
---	UTILITY	---
---	...	---

GENERAL NOTES AND INFORMATION
Zoning: P.U. in R-1 & PDR-1 (ORD. NO. 1154)
Site Area: 46.728 acres
Flood Plain: 2.80 acres P.P. Cales.
Flood Plain to Reclaim: 0.50 acres 46.73 Ac.
Flood Plain to Remain: 5.10 acres 46.73 Ac.
Density Calculations:
Area of Site: 2,035,478 sq. ft. 46.73 Ac.
Area of R.O.W.: 149,880 sq. ft. 3.41 Ac.
Net Site Area: 1,788,598 sq. ft. 40.71 Ac.
Allowable Lots: 1,885,598 sq. ft./43560 sq. ft./lot=43.29 lots
Lots Proposed: 41

Design Criteria:
Minimum Lot Area: 22,000 sq. ft. (permitted by zoning) lots with 20%
Front Yard: 25 ft. (30% from lot line)
Rear Yard: 15 ft.
Side Yard: 10 ft. (30% from lot line between structures)

The entrance street shall be public with 16' wide pavement in a 30' wide R.O.W. Other streets shall be public with 26' wide pavement in a 40' wide R.O.W. with adjoining 5' wide roadway widening, sidewalk, maintenance, and utility easements.

This site is in the following districts:
Municipality: Chesterfield
School District: Rockwood R-5
Elementary: Chesterfield Elementary
Junior High: Crestview Junior High
Senior High: Lafayette Senior High
Shopping District: Chesterfield Mall 2 miles east
Fire District: Chesterfield Fire District
Utility Information: St. Louis County Water Company
Metropolitan St. Louis Sewer District
Union Electric Company
Laclede Gas Company
Southwestern Bell Telephone Company
United Cable Company

Record Order: Premier Development Corp.
Locator No.: 18732022
18711012
18711013
18736050 (0.36 ac.)

Major Intersection: Site is on Countryside Manor Parkway approx. 1600' west of Kahn Mill Road

Landscaping: Species used to meet landscaping requirements shall be from Chesterfield's approved list.

Street Lights: Shall be 16' in height, min. 100 watt 9500 lumen high pressure sodium fixtures. Street lights shall be installed as required by the Chesterfield Subdivision Ordinance.

Storm Water: Storm water shall be discharged at an adequate natural discharge point.

Parking: A minimum of 2 garage spaces shall be provided for each new lot.

Topography: Contours from available U.S.G.S. information.

These plans have been reviewed by Soils Consultants, Inc. for their compliance regarding geotechnical recommendations related to the development. Based on this review and available subsurface information, it is our opinion that the site may be constructed in accordance with the plans, Exploration of Subsoils Conditions and Foundation Recommendations dated March, 1956. Said Exploration shall be supplemented with a report addressing the suitability of the existing data for the use as proposed. All subsequent required plans shall include a statement of compliance with any recommendations about the data contained in the Exploration report.

We have not prepared any part of these plans, and we seal on these plans as licensed only to certify my personal review and approval of the site plan and grading plan as it related to the stability of earth slopes.

Said Consultants, Inc. must be involved during the construction phase of the project in order to determine if subsurface conditions are as anticipated from the field exploration data, that our recommendations relate to site grading are implemented, and that other geotechnical aspects of site development are performed in accordance with these plans.

Soil Consultant, Inc.
CARL L. JACOBI
Professional Engineer
No. 30850
Exp. 6/19/56

THE UNDERGROUND UTILITIES SHOWN ON THESE PLANS DO NOT REFLECT THE ACTUAL EXISTENCE, DEPTH, OR LOCATION OF SUCH UTILITIES. THE USER OF THESE PLANS SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACTUAL LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES.

MISSOURI LAND SURVEYORS ASSOCIATION

STATE DEVELOPMENT PLAN

COUNTRY LAKE ESTATES
BY
PREMIER DEVELOPMENT CORP.
900 ROOSEVELT PARKWAY SUITE 550
CHESTERFIELD, MO 63017 PH: (314) 537-3355

DATE: 6/19/56
DRAWN BY: ALP/ALC
CHECKED BY: G/L/ALC
CREATED BY: J.M.
SCALE: AS SHOWN
PROJECT NO.: 36010
SHEET: 1/2

PERMITTED USES

The Planned Environment Unit (PEU) authorizes the development of a maximum of forty-two (42) detached single-family residences, with minimum lot sizes of: 32,000 square feet for lots adjacent to Country Lake at Chestersfield; 24,000 square feet for the remainder of the perimeter lots; and 27,000 square feet for all other lots.

SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

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

GENERAL CRITERIA

The Site Development Plan shall include the following:

- a. Outboundary plat and legal description of the property.
b. A general development plan, indicating the basic location, size and arrangement of single-family lots, roadways and adjacent to the property, setback lines and, if appropriate, a typical lot with minimum and maximum lot sizes.
c. A graphic scale.
d. The location and size of all rights-of-way dedications and the pavement widths of all roadway improvements and internal drives.
e. The location and size of all freestanding signs, lighting, fences, sidewalks and other above-ground structures including retaining walls in common areas.
f. Existing and proposed contours at vertical intervals of not more than two (2) feet extending 150 feet beyond the limits of the site.
g. A preliminary plan for storm water and sanitary sewer facilities.
h. Density calculations.
i. Driveway and parking setbacks.
j. A landscape plan including, but not limited to, the location, maximum size and general type of all plant materials to be used.
k. Flood plain boundary.
l. Comply with all preliminary plan requirements of the City of Chesterfield Subdivision Ordinance.

SITE DEVELOPMENT PLAN DESIGN CRITERIA

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

- Building and Structure Setbacks
a. Front yard: Minimum setback shall be twenty-five (25) feet from the road right-of-way.
Should the developer choose to exercise the option of reducing the right-of-way width by ten (10) feet, thereby the placement of required sidewalks would be within a five (5) foot wide sidewalk, maintenance, utility and roadway widening easement, the minimum setback shall be increased by five (5) feet.
b. Side yard: Minimum setback shall be ten (10) feet, with a minimum setback between structures of twenty-four (24) feet.
c. Rear yard: Minimum setback shall be fifteen (15) feet.
Fencing Requirements
d. Minimum parking requirements shall be as required by Section 1003.165 of the City of Chesterfield Zoning Ordinance.
Access and Roadway Improvements, Including Sidewalks
e. Access to this development shall be from the existing stub street in Countryside Subdivision, Countryside Manor Parkway, and shall have a minimum right-of-way width of fifty (50) feet.
f. The extension of Countryside Manor Parkway shall be tangent to the existing terminus of Countryside Manor Parkway.
g. Prepare a report that the existing or proposed dam meets Missouri Department of Natural Resources Dam Safety Standards, to be submitted for review and approval by the Chesterfield Department of Public Works. The report shall be prepared, signed and sealed by a Professional Engineer licensed to practice in the State of Missouri. The report shall include plans, bearing logs, cross-sections, slope stability analysis, etc., in order to demonstrate compliance with DNR standards.
h. Provide a slope maintenance easement within the common ground area for the entire extent of the dam necessary for structural stability and any overflow structures. This easement shall extend to the north property of the site.
i. If the roadway is to be located on the crest of the dam, stabilized shoulders and guard rails may be required to accordance with standard engineering practice.
j. All of the downstream face of the dam that is required for structural stability shall be located in common ground.
k. Sidewalks will be required on both sides of all streets with more than eight (8) foot wide lots.

- m. Provide a gated emergency access via Private Valley Drive as directed by the City of Chesterfield and the Chesterfield Fire Protection District. The connection between Private Valley Drive and the new subdivision street shall be constructed of grass covered paver blocks.
n. Should Private Valley Drive or the streets in Countryside at Chestersfield be proposed as an easement access to this site, the following will be required by the City of Chesterfield Department of Public Works prior to any grading permits being issued, improvement plans being approved or any construction equipment being allowed on-site:
1. The travel route must be approved by the City of Chesterfield Department of Public Works. No deviation from the approved route will be permitted.
2. An evaluation, including files record, of the current condition of the pavement on the approved travel route.
3. An appropriate bond as approved by the City of Chesterfield Department of Public Works must be established to ensure that any damage to existing pavement is repaired. The bond must be established as a separate bond, not as part of the subdivision contract.
4. A one on all plan sheets indicating that vehicle loads of construction traffic using this route are not to exceed 32,000 lbs. axle load/50,000 gross weight and that on 81-axle trucks are to be used. The weight tickets may be used to determine conformance with this requirement.

Additional prescriptive measures as deemed necessary by City of Chesterfield Department of Public Works may also be required prior to improvement plan approval.

- o. Provide all necessary barriers, and of pavement markers, etc., at the end of any stub streets as directed by the City of Chesterfield Department of Public Works.
p. Installation of Landscaping and Ornamental Entrance Monument if proposed, shall be reviewed by the City of Chesterfield Department of Public Works for sight distance considerations and approved prior to installation of construction.
q. The developer is advised that utility companies will require compensation for relocation of their utility facilities within public road rights-of-way. Utility relocation cost shall not be considered as an allowable credit against the petitioner's traffic generation assessment contribution. The developer should also be aware of extensive delays in utility company relocation and adjustments. Such delays will not constitute a cause to allow easement prior to completion of road improvements.
r. The developer shall continue to the Eastman-Mohr Mill Road Traffic Circulation Assessment Study Plan. This contribution shall not exceed an amount established by multiplying the reference required parking spaces by the following rate schedule:

Table with 2 columns: Type of Development, Required Contribution. Single Family Space: 8/19.16/Parking Space. (Parking space as required by Section 1003.165 of the St. Louis County Zoning Ordinance.)

If types of development proposed differ from those listed, rates shall be provided by the St. Louis County Department of Highways and Traffic.
The amount of this required contribution, if not submitted by January 1, 1997, shall be adjusted on that date and on the first day of January in each succeeding year thereafter in accord with the contribution cost index as determined by the St. Louis County Department of Highways and Traffic.

- s. Traffic generation assessment contributions shall be determined with St. Louis County in the form of a cash escrow prior to the issuance of building permits. If development phasing is anticipated, the developer shall provide the traffic generation assessment contribution prior to issuance of building permits for each phase of development.
Landscape Requirements
a. All new deciduous trees shall be a minimum of two and one-half (2 1/2) inches to caliper. All evergreen trees shall be a minimum of four (4) feet in height, and all shrubs shall have a minimum diameter of eighteen (18) inches.
b. Indicate on the Site Development Plan those areas which will be disturbed and those areas which will remain undisturbed.
c. All landscape improvements shall be corrected along with standard subdivision improvements.
d. Indicate on the Site Development Plan the location of an undisturbed strip along the western perimeter of the development adjoining the houses on Bridgeway Circle in the Wild Horse Subdivision. This undisturbed strip shall be 30 feet minimum width along the rear of Lots 30 through 34 and 36, and 40 feet minimum width behind Lot 35, as depicted on the Preliminary Plan.

- Miscellaneous Improvements
a. Except for required street lighting, no source of illumination shall be so situated that light is cast on any public right-of-way or adjoining property. Lighting shall be required in compliance with the City of Chesterfield Subdivision Ordinance.
b. Required street lighting and sidewalks within the development shall be depicted on the Site Development Plan, and easements shall be established for these improvements.
c. Any signs shall be erected in accordance with the "R-1" Residence District.
d. Exterior trash areas in common ground, if any, shall be surrounded by a six (6) foot high eight-foot fence.
e. All stormwater drains and appurtenances shall be designed per City of Chesterfield and Metropolitan St. Louis Sewer District design standards.
f. The developer is responsible for obtaining the necessary easements and temporary construction licenses necessary to construct and dedicate the stormwater and sanitary sewer systems.
g. Indicate the location of the proposed sanitary sewer connections to the existing system.

- dd. Depict the location of significant natural features, such as wooded areas and rock formations, that are to remain or be removed.
5. VERIFICATIONS PRIOR TO APPROVAL
Prior to approval of the Site Development Plan, the developer shall provide the following:

Stormwater

- a. Submit to the Planning Commission a preliminary engineering plan approved by the M&D, St. Louis County Department of Highways and Traffic and the City of Chesterfield Department of Public Works showing that adequate handling of the stormwater discharge of the site is provided.
1. The developer is required to provide adequate stormwater systems in accordance with City of Chesterfield and M&D standards.
2. All stormwater shall be discharged at an adequate natural discharge point.
3. Detention/retention is to be provided in each watershed as required by the City of Chesterfield Department of Public Works. Detention of differential runoff of stormwater is required by providing permanent detention/retention facilities, such as dry reservoirs, ponds or another acceptable alternative. The maximum fluctuation from the permanent pool elevation to the maximum pooling elevation of a basin shall be three (3) feet. The detention/retention facilities shall be operational prior to issuance of building permits exceeding sixty (60%) percent of the approved dwelling units. Detention/retention facilities shall be operational in each plot, watershed, or phase prior to issuance of sixty (60%) percent of the building permits in each plot, phase, or watershed. Prior to the Site Development Plan approval, the location and types of detention/retention facilities shall be identified on the Site Development Plan.
4. The adequacy of any existing stormwater system shall be verified and upgraded if necessary.
5. This development will require a NPDES Permit from the Missouri Department of Natural Resources. NPDES permits are applicable to construction activities that disturb five (5) or more acres. A copy of the permit application must be submitted to the Department of Public Works prior to issuance of grading permits or approval of improvement plans.
6. Emergency overflow drainage ways to meet immediate the 100-year storm shall be provided for all storm sewers.
7. Off-site easements for areas landward by head-water from on-site improvements shall be provided as required by the Department of Public Works.

- 8. If any development in, or alteration of, the floodplain is proposed, the developer shall submit a Floodplain Study and Floodplain Development Permit/Application to the Department of Public Works for approval. The Floodplain Study and Floodplain Development Permit/Application must be approved by the Department of Public Works prior to the approval of the Improvement Plans or Grading Plans. If any change in the location of the Special Flood Hazard Area is proposed, the Developer shall be required to obtain a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency. The LOMR must be issued by FEMA prior to the final release of any escrow held by the City of Chesterfield for improvements in the development.
9. If any lot is proposed to be located in an existing, or proposed, Special Flood Hazard Area that lot shall be clearly labeled as being located in the Floodplain on the Approved Site Development Plan and Improvement Plan. The lowest Reference Level (RLR), as defined by FEMA, shall be constructed a minimum of one (1) foot above the base flood elevation unless a LOMR has been issued by FEMA prior to construction. The minimum elevation for the Reference Level for each lot shall also be noted on the approved Site Development Plan and Improvement Plans.

- 10. Prior to approval of Improvement Plans, show the minimum acceptable elevation for the lowest opening of any proposed structure for each lot around the lake.
11. The Developer is required to provide engineering studies, hydraulic and hydrologic analyses, and a certification that any proposed alteration of the flood plain will not result in any increase in the 15, 50 and 100-year flood profile.

Geotechnical Report

- a. Provide a geotechnical report, as required by the City of Chesterfield Department of Public Works, prepared by a Professional Engineer licensed to practice in the State of Missouri. Said report shall verify the suitability of grading and proposed improvements with soil and geologic conditions. A statement of compliance, signed by the Geotechnical Engineer preparing the report, shall be included on all Site Development Plans. This report shall address the existence of any potential sinkholes, ponds, dams, septic fields, etc., and recommendations for treatment.
b. Provide verification of approval by M&D for adequate handling of sanitary sewage.

Sloped Grade Approval

- a. A surcharge of \$2,500.00 per acre for this site will be assessed by M&D to fund improvements of Chalk Creek sanitary system.
b. Prior to Site Development Plan approval, indicate that the proposed sanitary sewer will be connected to the existing system.
c. If street grades in excess of a six percent (6%) slope are proposed, steep grade approval must be obtained from the Department of Public Works prior to Site Development Plan approval. In no case shall slopes in excess of ten percent (10%) be permitted. Any request for steep street grades must include plans, profiles, bearing logs, cross-sections, etc., and any other justification deemed necessary, to be prepared, signed and sealed by a professional engineer. The justification should clearly show site conditions and alternatives considered. If steep grades are approved for this site, a note indicating that priority snow removal will not be given to this site shall be included on the Site Development Plan and provided to all prospective buyers.

Miscellaneous

- a. Provide verification of easements from appropriate Fire District.

RECORDING

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

VERIFICATION PRIOR TO BUILDING PERMITS

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

Development Phasing

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

Notification of Department of Planning

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

Certification of Plans

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

Miscellaneous

- d. Prior to Improvement Plan approval, show the minimum acceptable elevation for the lowest opening of any proposed structure for each lot around the lake.

GENERAL DEVELOPMENT CONDITIONS

- a. Within two (2) years of the date of approval of the Site Development Plan by the Planning Commission, construction shall commence. Said time may be extended one additional year upon approval by the Planning Commission.
b. A grading permit of improvement plan approval is required prior to any grading on the site. No change in watershed on the site shall be permitted. Interim stormwater drainage control in the form of siltation control measures is required. Construct temporary sediment basins during construction to allow for settling of sediment prior to stormwater discharge from this site.
c. If cut and fill operations occur during a storm not favorable for immediate establishment of a permanent ground cover, a fast germinating annual such as ryegrass or similar grasses shall be sown to retard erosion. If adequate stormwater detention and erosion control devices have not been established.
d. The petitioner shall be responsible for obtaining all necessary permits from the Department of Natural Resources Clean Water Commission to discharge to the development of lake water.
e. All critical areas under widening, pavement thickness, drainage facilities, granular base, traffic control devices and other improvements may be required to accommodate heavy traffic volumes, variable soil conditions, steep grades, or other conditions not approved at this time.
f. Provide adequate temporary off-street parking for construction employees. Parking on non-surfaced areas is prohibited in order to eliminate the conditions whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
g. A copy of the most recently approved Site Development Plan for this PEU development shall at all times be prominently displayed in all display areas sales offices within this development.
h. If roadways cut to the private, these roadways shall remain private forever. Maintenance of private roadways shall be the responsibility of the property owner(s) or trustee thereof. The extension of private roadways within the development requires disclosure by the developer of responsibility for maintenance in accord with the provisions of Section 1003.265 of the City of Chesterfield Subdivision Ordinance.
i. Maintenance of subdivision streets, including, but not limited to, snow removal, shall be the responsibility of the developer, until such time as the streets are accepted for maintenance by the City of Chesterfield.
j. Failure to comply with any or all of the conditions of this ordinance shall be a cause for revocation of permits by issuing City Departments or Commissions.
k. The Existing Enforcement Officer of the City of Chesterfield, Missouri, shall enforce the conditions of this ordinance in accordance with Site Development Plans approved by the Planning Commission and the Department of Planning.

STATE OF MISSOURI ss. County of St. Louis

I, the undersigned Recorder of Deeds for said County and State, do hereby certify that the foregoing and appended instrument of writing was filed for record in my office on the 21st day of June, 1997, at 11:22 AM. A. D. Wilson, Recorder of Deeds, St. Louis County, Missouri, File Book 538, Page 2624P (1)

Witness my hand and official seal on the day and year aforesaid. [Signature] Recorder of Deeds

PRELIMINARY DEVELOPMENT PLAN
SITE DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT COPY
In connection with a change of zoning for the following described property from M-2 to P-201 in R-1 & P-201.

SEE LEGAL DESCRIPTION - SHEET 1 OF THE DEVELOPMENT PLAN
Premier Development Corp., the owner(s) of the property shown on this plan for and in connection with being granted a permit to develop property under the jurisdiction of Chapter 1003.187 (R-1 & P-201) of the City of Chesterfield Missouri, do hereby agree and warrant that said property from the date of recording this plan shall be developed only as shown thereon, subject and done in accordance with the Planning Commission, or other or updated by order of ordinance of the City of Chesterfield Missouri.

PREMIER DEVELOPMENT CORP.
[Signature]
Mark T. Johnson, Vice President

Date of Meeting: 6/18/97
County of St. Louis: 03

On this 18th day of June, 1997, before me personally appeared Mark T. Johnson, in me known, who, being by me sworn in, did say that he is the Vice President of the Premier Development Corp., a corporation in the State of Missouri, and that the real estate in the foregoing instrument is the corporate real estate of said corporation, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors, and the said Mark T. Johnson authorized said instrument in the Site Plan and deed of said corporation.

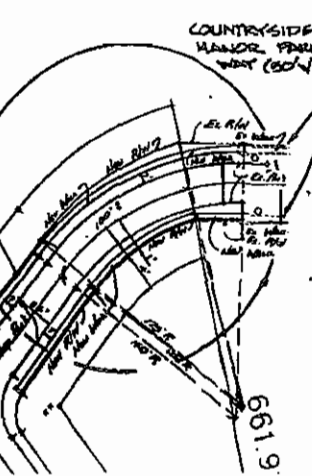
In Testimony Whereof, I have hereunto set my hand and the seal of my office in my office in St. Louis County, Missouri, this 18th day and year last aforesaid.

[Signature]
Notary Public

This Site Plan was approved by the City of Chesterfield Planning Commission and duly recorded on the 21st day of June, 1997, by the Recorder of Deeds for St. Louis County, Missouri, in accordance with the provisions of Chapter 1003.187 of the City of Chesterfield Ordinance Number 800, as amended by the Director of Planning and the City Clerk.

[Signature]
City Clerk, Chesterfield, Missouri

ENTRANCE DETAIL
SCALE: 1"=50'



SITE DEVELOPMENT PLAN
COUNTRY LAKE ESTATES
BY
PREMIER DEVELOPMENT CORP.
900 ROOSEVELT PARKWAY SUITE 550
CHESTERFIELD, MO 63017 PH: (314) 537-3355

96010
1 2 2



MAR - 7 1996

HERZOG, CREBS & MCGHEE, LLP

ATTORNEYS AT LAW

ONE CITY CENTRE - 24th FLOOR

515 NORTH SIXTH STREET

ST. LOUIS, MISSOURI 63101-2409

(314) 231-6700

FAX: (314) 231-4656

EDWARD J. GRIESE DIECK, III

March 7, 1996

VIA FACSIMILE -- 537-4799

Hon. Jack Leonard, Mayor
City Council
City of Chesterfield
922 Roosevelt Parkway
Chesterfield, MO 63017

Re: **Petition P.Z. 2 & 3-96**
Petitioner - Premier Homes (Country Lake Estates)

We have reviewed the Staff Comments and Attachment A dated February 26, 1996, along with the Report of the Planning Commission dated March 1, 1996. In conjunction with other comments, we would like to bring to your attention an agreement which has been entered into between the developer and the residents of Bridgeway Circle within the Wild Horse Subdivision. Bridgeway Circle is the drive that abuts our site to the west. To accommodate the residents' concerns, we have agreed to a buffer and non-disturbance area which we would like incorporated within any ordinance approved by the City for the development of Country Lake Estates. The purpose of this agreement is to provide buffering between the homes of Country Lake Estates and Wild Horse Subdivision in a manner and fashion which is acceptable to both parties and which exceeds any recommendation of the Staff or the Planning Department. We would recommend that the Attachment A, as amended, and as amended by the Planning Commission be further amended, as follows:

4. SITE DEVELOPMENT PLAN DESIGN CRITERIA

Landscape Requirements

- v. Indicate on the Site Development Plan the retention of an undisturbed strip along the western perimeter of the development adjoining the homes on Bridgeway Circle in the Wild Horse Subdivision. The undisturbed strip is intended to be 50 foot minimum along the rear of Lots 30 through 34 and 36 and 40 foot minimum behind Lot 35.



June 24, 1996

City of Chesterfield
Planning Commission
922 Roosevelt Parkway
Chesterfield, MO 63017

SUBJECT: P.Z. 2 & 3-96 Premier Homes (Country Lake Estates); Planned Environment Unit (PEU) Procedure in the "R-1" One Acre Residence District and "FPR-1" Flood Plain One Acre Residence District Site Development Plan; western terminus of Countryside Manor Parkway.

Dear Commissioners:

Premier Homes has submitted for Planning Commission review and approval a Site Development Plan for Country Lake Estates, located at the western terminus of Countryside Manor Parkway. The Department has reviewed the plan and submits the following report.

By way of background, on March 18, 1996, the Chesterfield City Council, via Ordinance Number 1151, approved P.Z. 2-96 Premier Homes (rezoning from "NU" Non-Urban District and "FPNU" Flood Plain Non-Urban District to "R-1" One Acre Residence District and "FPR-1" Flood Plain One Acre Residence District) and, via Ordinance Number 1152, approved P.Z. 3-96 Premier Homes (Planned Environment Unit Procedure) to allow for the development of a maximum of 43 detached single-family residences on 46.7 acres. Minimum lot sizes are: 32,000 square feet for lots adjacent to Countryside at Chesterfield (Lots 1 - 4); 24,000 square feet for the remainder of the perimeter lots (Lots 5, 11 - 14, 28 - 35, 37, and 41; and 22,000 square feet for all other lots. Access to the subdivision will be from the existing stub street in Countryside Subdivision, Countryside Manor Parkway.

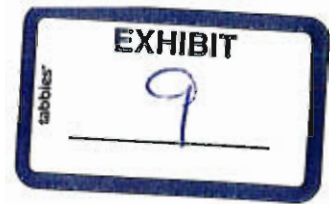
In conformance with the PEU ordinance, the following are depicted on the Plan:

1. Gated emergency access via Private Valley Drive, with the connection between Private Valley Drive and the new subdivision street to be constructed of grass covered paver blocks;
2. An undisturbed strip along the western perimeter of the development adjoining the homes on Bridgeway Circle in the Wild Horse Subdivision. The undisturbed strip shall be 50 foot minimum width along the rear of Lots 29, 31, 32, 33, 34 & 35, and 40 foot minimum width behind Lot 30

City of Chesterfield
690 Chesterfield Pkwy W
Chesterfield, MO 63017



June 3, 2012



ATTN: Ms. Aimee Nassif, Planning and Development Services Director

RE: Request for Variance to Landscape Buffer at 1483 Countrylake Estates Drive

Dear Ms. Nassif,

I am writing this strong letter of protest to the request for a variance to build on the identified 'landscape buffer' that has been filed by the Bulanda's, 1483 Countrylake Estates Drive, Chesterfield, MO..

As an eighteen year resident of Chesterfield, and owner of one of the most affected properties by this variance request, this would without question lower my property value, and detract from the beauty of my property. This would also affect everyone in the Wildhorse subdivision by lowering this homes \$ per square foot, and set an undesired precedence for the future.

A few key issues:

- This request for a 'variance' has nothing to do with fire, life or safety. This is a personal self-serving request.
- This defined '50 foot Landscape Buffer' (as defined on the Site Plan 6/19/96 book 244- pages 60 and 61) has already been violated on this property by the clearing of the natural land for playground equipment. This playground equipment is located within 3 feet of the property line.
- 'Landscape Buffers' in a planned unit development were included in the original site plan for a reason, and that is to maintain the integrity and beauty of the area. Chesterfield's reputation for natural beauty is one of the great 'appeals' of the area.
- The owners knew of this "undisturbed landscape buffer" when they purchased the property. This isn't something that was created after their property purchase. If the property that is 'back-framed' with a beautiful tree line is now not satisfying to their needs, then they should move. Trees define our community area.
- When people buy in a community, decisions have to be made for the betterment of that community, not for individual gain at the expense of others. The 'Undisturbed Landscape Buffer' is one of those 'protections' for our community.

My family, and most all of my neighbors have worked a lifetime to afford a house in this area, and we proudly pay the higher than average taxes for this area and the community benefits including a safe, peaceful, beautiful area with an excellent school district . These properties were purchased due to these reasons, and the 'landscape buffer' inclusion was included by the city to protect our properties from selfish homeowners.

Mayor Geiger's description of Chesterfield, 'Our city was formed in 1988 by citizens who cared deeply about the area and about the quality of life in the area. We have peaceful residential neighborhoods, bustling shopping areas, beautifully designed business establishments, and well laid out parks and pathways. Our citizens have such a history of being involved in helping the city that we are known as the "City of Volunteer" .

ONE NOTE:

Secondary to your decision is the purpose of the variance that isn't included in your 'meeting area of responsibility', but so pertinent to this letter and all of the neighbor's concerns. The reason for this 'Variance Request' is to build a 70 foot long; 12 foot wide; and 12 foot high **BASEBALL BATTING CAGE**.

Cutting down the trees (the only sound buffer to the 'ping' of an aluminum bat striking a baseball) to place a structure the size of the largest tractor-trailer allowed on the roads in the backyard.

Can anyone in Chesterfield imagine having their bedroom windows, and backyard decks, that are now overlooking a tree-lined property, to now face a **BASEBALL BATTING CAGE** with the sounds of a baseball-team and the 'ping' of the aluminum bats (the sound can carry easily over a mile) all hours of the day?

I am submitting this with my most sincere confidence you will do what is simply 'the right thing'.

My Best Regards,



William Matson

17649 Bridgeway Circle Drive 63005 636 537 1146



June 13, 2012



Ms. Aimee Nassif
Planning and Development Services Director
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Missouri 63017

Re: Request for Variance to Landscape Buffer at 1483 Countylake Estates Drive

Dear Ms. Nassif:

Please count me as a resident firmly in opposition to the request for a variance to the 'landscape buffer' at 1483 Countylake Estates Drive, Chesterfield, Missouri. Batting cages belong at shopping centers, city parks, ball fields, etc. They do not blend well with an upscale residential neighborhood such as exists with the Wildhorse and Country Lakes Estate subdivisions. I am in complete agreement with the letter filed with your office on June 3, 2012 by William Matson of 17649 Bridgeway Circle Drive, Chesterfield, Missouri 63005.

This proposed change is very unfair to Mr. Matson and the other property owners in the immediate area of which I am one. It is also a foolish precedent for the Chesterfield City Council to establish for numerous other neighborhoods. If you have questions or need any other information from me, please let me know.

Sincerely,

A handwritten signature in blue ink that reads 'Larry J. Hart'.

Larry J. Hart
17631 Bridgeway Circle Drive
Chesterfield, Missouri 63005
(phone) 636 - 536 - 2903

City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Mo 63017



June 10, 2012

ATTN: Ms. Aimee Nassif, Planning and Development Services Director

RE: (1) Request for Variance to Landscape Buffer at 1483 Countrylake Estate Drive
(2) Mr. William Matson Letter, dated June 3, 2012, same subject as (1) above

Dear Ms. Nassif,

I am writing this letter to endorse the protest, the issues, the reasoned logic, and the appeal to doing the "right thing" made by Mr. Matson in his letter (reference 2 above) on the requested variance to the Landscape Buffer, reference one above.

I am a 22 year resident of Chesterfield – residing at 17637 Bridgeway Circle Drive (two houses down from Mr. Matson's home and on the same undisturbed buffer). After a career change, I and my Family chose Chesterfield and the Wild Horse subdivision for multiple quality of life reasons – a primary reason being the beauty and serenity of the environment; and for the obvious commitment of the City of Chesterfield Government and the Chesterfield residents to a shared interest and respect for maintaining these features/attributes.

The undisturbed buffer in question is an example of that commitment. It was established for the common good of the residents of the adjoining subdivisions, approved by the City of Chesterfield, and approved/agreed to by residents who bought properties along the established buffer. Justification of a variance (as implied by Mr. Matson) should only be considered if it is consistent with the common good. A variance that is not for the common good, but for the pleasure of one or just a few is not compatible with the values of the Chesterfield Community and not compatible with the purpose of the original plans, approvals for the undisturbed buffer.

My Family and I have made a significant investment in our home and property in the Wild Horse subdivision. We have made a personal commitment to our role in maintaining the quality of our Chesterfield Community. Recently we added a new screened in porch in order to enjoy our backyard environment and serenity. The undisturbed buffer maintains a beautiful tree line of sufficient depth to provide this environment for both subdivisions. Actions (variances) that negatively impact approved protections of the quality of life features of our shared community, and that negatively impact home values are inconsistent with Chesterfield values.

Again, I endorse Mr. Matson's letter to you. I ask that you do both the "right thing" and the appropriate thing.

Thank You for Your consideration –

Robert N. Lutter

Resident of Chesterfield (17637 Bridgeway Circle Drive (636) 537-9741)

Dear Mr Nassif,

We are writing to request that you not allow a variance to the landscape buffer behind our home. In the past twelve years we have lived at 17655 Bridgeway Circle Drive which is next door to the home of Mr. and Mrs William Matson. We understand that the family at 1483 Countrylake Estates Dr. is requesting a variance in order to erect a baseball batting cage with an electric pitching machine. We hardly consider this a matter of necessity especially since there are batting cages available in our neighborhood at the JCC and Ozzie Smith Academy. We object to yet another exception being made after an earlier violation of the landscape buffer. This landscape buffer provides a beautiful backdrop and is a pathway for an amazing number of deer, wild turkeys, birds and other animals. It provides privacy and a wild beauty that can not be replaced or duplicated. Please say No to the Approval of the Variance to Landscape Buffer at 1483 Countrylake Estates Drive.

Respectfully,

Dr. & Mrs Barry Highbloom
17655 Bridgeway Circle Dr.
Chesterfield, MO 63025



June 12, 2012

City of Chesterfield

690 Chesterfield Pkwy W

Attn: Ms. Aimee Nassif, Planning and Development Services Director

RE: Request for Variance to Landscape Buffer at 1483 Countrylake Estates Drive

Dear Ms Nassif,

We write this letter to oppose the variance request to the above said property. If approved, this variance will not only destroy some of the beauty of our city, but create a noise disturbance for homeowners in the surrounding area. And in these hard economic times, the last thing we want is to have a batting cage impact the home values of our subdivision.

Chesterfield and the surrounding municipalities offer a multitude of batting cages for young baseball players. Denying this request will have no adverse affect on the children in question; approving the request will negatively impact many residents of Chesterfield. I ask that you deny this request to protect the home values and serenity of our subdivision.

Respectfully Submitted,

Philip and Deborah Thoman

17650 Bridgeway Circle Dr.

Chesterfield, MO 63005

636-751-8432



ATTN: MS AIMEE NASSIF SERVICES DIRECTOR,

MY POSITION ON THE "NEED" TO HAVE A BASEBALL CAGE IN A NEIGHBORHOOD THAT ENVOLVES 'ALL' OF US.

My position on this issue of a baseball batting cage " NO". If we are not allowed certain signs in our yards, trash cans left out, recreation vehickles on driveways. Then why do we need a commercial 'BASEBALL BATTING CAGE' to satisfy their childs needs to be a 'STAR'. If Mr. Bulanda can hire a lawyer he must have the resources to move so his son can follow 'HIS" dream. My dream is the economy picks up and my property will be worth enough to sell and pay for my needs.

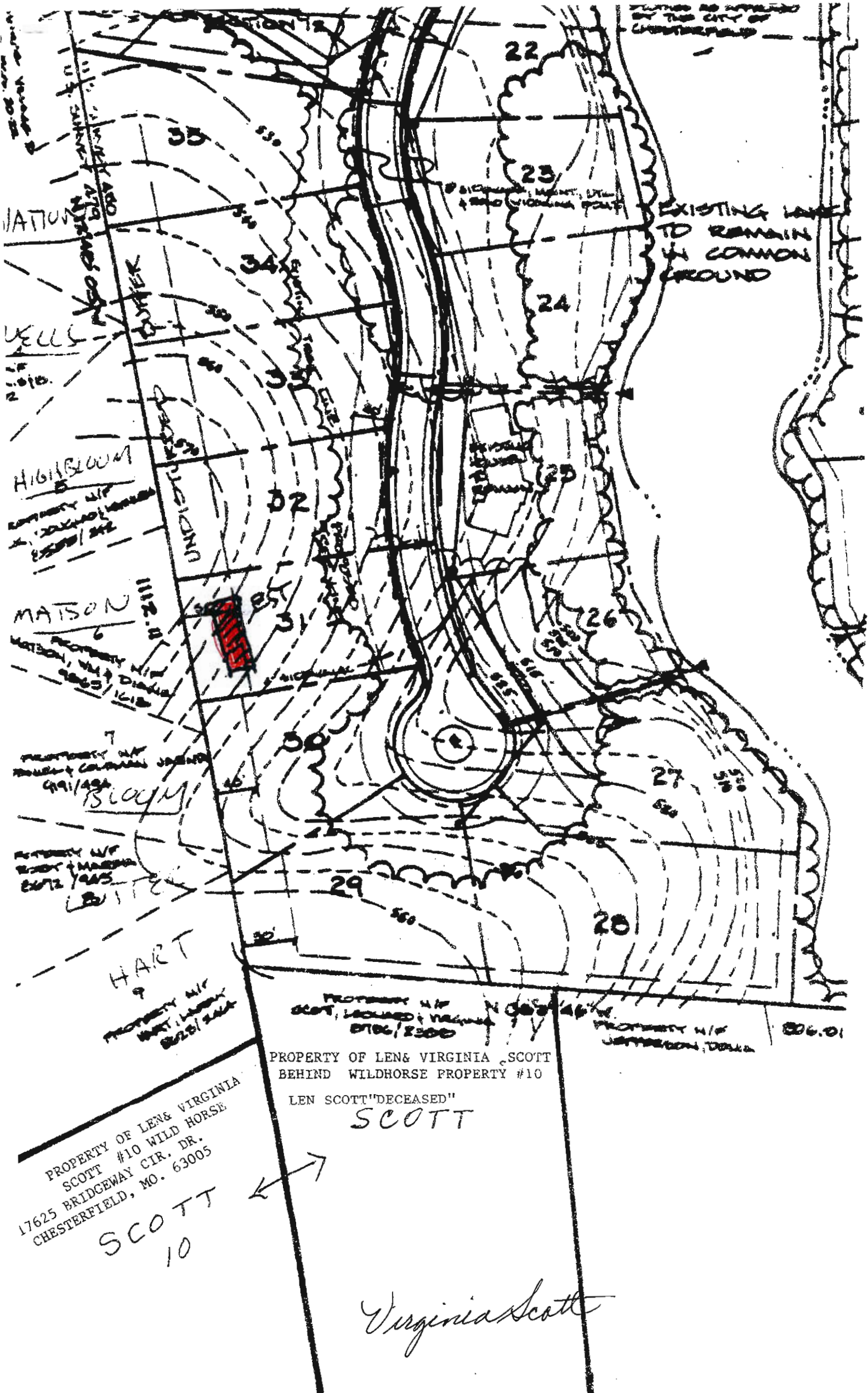
VIRGINIA V. SCOTT
17625 BRIDGEWAY CIR. DR.
CHESTERFIELD, MO. 63005

I JUST CELEBRATED MY '47'TH ANNIVERSARY AT BEING '39' (86)

I've seen a lot of 'things' in my lifetime but this is an example of the " I, ME, MINE GENERATION ". Mr. Bulanda has no concern for his neighbors or the area he is in. What if he decides to move, does he take this monstrosity with him?

Virginia V Scott
6-15-12

PLANNED AS APPEARED BY THE CITY OF CHESTERFIELD



EXISTING LAKE TO REMAIN IN COMMON GROUND

MASON
 PROPERTY W/ F
 MASON, W & DORIS
 1965/1618
 HIGGINS
 PROPERTY W/ F
 HIGGINS, W & MARGARET
 1972/1645
 HART
 PROPERTY W/ F
 HART, W & MARGARET
 1972/1645

PROPERTY W/ F SCOTT, LEN & VIRGINIA SCOTT
8106/2500

PROPERTY W/ F JEFFERSON, DORIS
806.01

PROPERTY OF LEN & VIRGINIA SCOTT
BEHIND WILDHORSE PROPERTY #10

LEN SCOTT "DECEASED"
SCOTT

PROPERTY OF LEN & VIRGINIA SCOTT #10 WILD HORSE
17625 BRIDGEWAY CIR. DR.
CHESTERFIELD, MO. 63005
SCOTT
10

Virginia Scott

Dennis and Barbara Wells
17661 Bridgeway Drive
Chesterfield, MO 63005
June 14, 2012



Honorable Mayor Geiger and Members of the City Council
City of Chesterfield
890 Chesterfield Parkway West
Chesterfield, MO 63017-0760

RE: Request for Variance to Landscape Buffer at 1483 Countrylake Estates Drive

Dear Mayor Geiger and Members of the City Council:


It has come to my family's attention that the property owners of 1483 Countrylake Estates Drive are requesting a variance from their City Council approved subdivision restrictions in order to construct a baseball batting cage along the rearmost portion of their lot. The purpose of this letter is to advise you of my family's strong opposition to the subject variance request.

Over fifteen years ago, during the planning process for the Countrylake Estates, a committee of residents of the Wildhorse Subdivision held meetings with the developer of Countrylake Estates and as a result of these meetings negotiated the creation and maintenance of a "Landscape Buffer" along the westernmost boundary of the Countrylake Estates Subdivision where lots along Countrylake Estates Drive abut the lots along Bridgeway Drive in the Wildhorse Subdivision. The purpose of this Landscape Buffer was to establish both a visual and noise barrier between and for the mutual benefit of the residents along Countrylake Estates Drive and Bridgeway Drive. This Landscape Buffer was incorporated in the Council approved Site Plan for the Countrylake Estates Subdivision and the conditions of approval mandated by the City Council required the establishment and maintenance of this Landscape Buffer.

As the original property owners of 17661 Bridgeway Drive, we have observed that this 50 foot Landscape Buffer has, for the most part, been maintained by the property owners along Countrylake Estates Drive. It is our belief that granting the requested encroachment into the Landscape Buffer completely negates both the negotiated agreement between the property owners of the Wildhorse Estates Subdivision and the developer of the Countrylake Estates Subdivision and as well as the will and wisdom of the City Council in establishing this land use restriction. We believe that allowing this encroachment, whether intended or not, will create precedence that can ultimately enable subsequent Countrylake Estates homeowners to ignore this beneficial neighborhood buffer for their own personal benefit.

Having been employed by municipal governments in administrative capacities for over twenty six years, I am acutely aware of various conflicts that can arise between adjacent homeowners. We believe that this Landscape Buffer has successfully minimized conflicts as well as alleviated common visual and noise disturbances between the properties. Again, we request that the subject requested variance be rejected by the City Council in order to maintain the long-term harmonious quality of life in our neighborhood.

Sincerely,



Dennis L. Wells, P.E.



Barbara L. Wells, P.E.

cc: Michael O. Geisel, P.E., Director of Planning, Public Works and Parks
Aimee Nassif, AICP, Planning and Development Services Director

EXHIBIT
 10a



City of Chesterfield

DEPARTMENT OF PLANNING, PUBLIC WORKS AND PARKS

BOARD OF ADJUSTMENT APPLICATION

The Board of Adjustment is a local body consisting of volunteers appointed by the Mayor. The Board 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, Public Works and Parks at 636-537-4746. For information about this and other projects under review by the Department, please visit "Active Projects" at www.Chesterfield.mo.us.

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> Area or Bulk variance: A request to allow deviation from the dimensional (i.e. height, hulk yard) requirements of a zoning district. | <input type="checkbox"/> Use variance: A request to allow deviation for the permissible uses of a zoning district. |
| <input type="checkbox"/> Sign variance: A request to allow deviation from dimensional/quantity regulations | <input checked="" type="checkbox"/> Appeal of Administrative Determination |

Please note areas in gray will be completed by the Department of Planning, Public Works and Parks.

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's Record: Mark and Kelly Bulanda

Address: 1483 Country Lake Estates Drive

City: Chesterfield State: MO Zip: 63005

Tel.: 636-728-0345 Fax: 636-728-0346

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: 1482 Country Lake Estates Drive Chesterfield, MO 63005

Locator Number(s): 18V320388

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

Acreage: .56 (To the nearest tenth of an acre)

Subdivision Name (If applicable): Country Lake Estates

Current Zoning District: R1 Residence District

Legal Description of Property:

Lot 30 of Country Lake Estates, a subdivision in St. Louis County, Missouri, according to the plat thereof recorded in Plat Book 345, Page 41 of the St. Louis County Records.

(Attach additional sheets as necessary)

III. NATURE OF REQUEST FOR VARIANCE

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

(Attach additional sheets as necessary)

Description of the necessity of the proposed improvement:

Landscape work to be done to facilitate the installation of a batting cage which is otherwise permitted and satisfies all City requirements

Ordinance Number and section to which a variance is sought:

Ordinance 1238, section 4, letter v.

(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:

The Ordinance section cited in III of this Application imposed a requirement on the developer of our subdivision and not on us. While the site plan shows a non-disturb area at the rear of our property, we were not aware of this because the plat does not show this area, and the site plan was not listed as an exception on our title policy. Neighbors have also cleared the area in question at the rear of their lots without consequence. We are being denied the use of 25% of our property without legal basis or justification or notice to us at the time we purchased our property.

(Attach additional sheets as necessary)

Description of the effect or impact on neighboring properties:

The batting cage will be placed within the middle of the tree coverage. As the batting cage will be black netting with black supports, the visual impact should be negligible.

(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:	relief from non-disturb zone _____	_____
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.echesterfield.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 Mike Doster (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 [checked] owner [] contract purchaser. (check (✓) one)

Mark and Kelly Bulanda

(Name- type, stamp or print clearly)

(Name of Firm)

Note: Attach additional sheets as necessary.

[Handwritten Signature]

(Signature) 1483 Country Lake Estates Drive Chesterfield, MO 63005

(Address, City, State, Zip)

NOTARY PUBLIC INFORMATION: STATE OF MISSOURI, CITY OF CHESTERFIELD

The foregoing instrument was subscribed and sworn to before me this 4 day of June 20 12

Signed [Handwritten Signature] Print Name: Terri J. Butler Notary Public

Seal/Stamp:

My Commission Expires: 5/6/2014



VI. AFFIDAVIT OF COMPLETENESS AND ACCURACY

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

Project Name: Batting Cage Submittal Date: _____

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.

Mark and Kelly Bulanda

(Name- type, stamp or print clearly)

Mark and Kelly Bulanda

(Signature)

1483 Country Lake Estates Drive Chesterfield, MO 63005

(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 4 day of June 2013.

Signed *Terr J. Butler* Print Name: Terr J. Butler
Notary Public

Seal/Stamp:

My Commission Expires: 5/6/2014



**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. _____

Director of Finance
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]

12-6-16
 REGISTERED
 10-2-2007



GRAPHIC SCALE



(IN FEET)
 1 inch = 50 ft.

BATTING CAGE
 (70' L x 14' W
 x 12' H)

10' (Side Yard Setback)

577'07.42" W
 196.33'

30
 24187 SQ.FT.

10' ESMT.

15' (rear yard setback)
 5' ESMTS

532'45'28" W
 145.85'

567'38'53" W
 170.81' ESMT.

543'52.05" W
 50.00'

10' W ESMT.

82.03'
 10' ESMT.

COM. GRO. & E. 804

LOT 7

LOT 8

29
 36012 SQ.FT.

STATE PLANE
 COORDINATE (METRIC)

N 312,499.9170
 E 239,098.5428



191.17'

PROPERTY N/F OF
 LEONARD & VIRGINIA SCC
 8786/2388

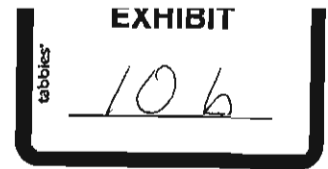
FOR CERTIFICATION SEE SHEET 3 OF 3

SIDNEY D. BELTUN
 REGISTERED SURVEYOR
 STATE OF MISSOURI
 NUMBER 1859

DUANE R. BURRELL
 REGISTERED LAND SURVEYOR
 STATE OF MISSOURI
 NUMBER 182459

6 LOT
 FOUND OLD CONC. MON.
 0.14' S, 1.15' E

04-23-11 2:11 PM



Request

Tuesday, April 17, 2012 8:42 AM

From: "jimmy@liebe.com" <jimmy@liebe.com>
To: mkbulanda@sbcglobal.net
Cc: "Linda Mark" <elmark71@yahoo.com>, baronejim@hotmail.com

Dear Kelly,

In response to your inquiry, the trustees believe that a batting cage is a permitted use. It is our opinion that it is considered playground equipment. Playground equipment is specifically allowed by the covenants of Country Lake Estates. The trustees reserve the right to approve any final drawings as approved by the City of Chesterfield before construction begins to assure compliance with other aspects of the covenants that may not be known until the plans are finalized.

Regards,

Jimmy Liebe
636-530-3831
R. J. Liebe Athletic Lettering Company

"Disclaimer: This message is intended only for the use of the individual or entity to which it is addressed and may contain information which is privileged, confidential, proprietary, or exempt from disclosure under applicable law. If you are not the intended recipient or the person responsible for delivering the message to the intended recipient, you are strictly prohibited from disclosing, distributing, copying, or in any way using this message. If you have received this communication in error, please notify the sender and destroy and delete any copies you may have received."

<http://www.liebe.com/terms.html>

Aerial view of our property and surrounding properties

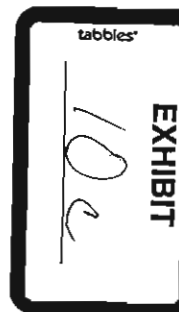
Neighbors (example where clearing was done with no repercussions)



Our Property

Intent is to have foliage on all sides of cage

Approximate location of batting cage (batting cages are allowed by neighborhood trustees and Chesterfield)



View taken from the back of our house directly towards neighboring subdivision



Pictures taken ~15' from our lot line
towards neighbors houses behind ours



The back side of the batting cage would be ~15' from the lot line due to normal easements. As you can see, there is plenty of foliage between the proposed location of the cage and the neighbors.

Neighbor's backyard immediately adjacent to our house



No disturb zone has been disturbed with no repercussions. We are perfectly fine with what our neighbors have done. This is just one of many examples where the no disturb zone has been violated and there has not been any repercussions



City of Chesterfield

04-23-12

OFFICE USE ONLY	
MZA #	120340
Locator #	18V320388
Subdivision	Lot 30 W4 R1
Country Lake Estates	

II. MUNICIPAL ZONING APPROVAL APPLICATION

EXHIBIT
 10 d

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
 Department of Planning, Public Works and Parks.

Project Address: 1483 Country Lake Estates Dr Zip: 63005

Property Owner Name(s): Mark and Kelly Bulanda

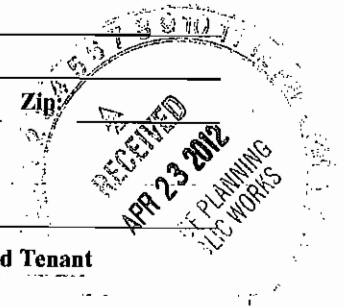
Property Owner Address (if different than above): _____

City: _____ State: _____ Zip: _____

E-mail: mkbulanda@sbcglobal.net

Tenant Name (if different than above): _____

Existing Tenant Proposed Tenant



Applicant Name: Mark & Kelly Bulanda Attn: _____

Applicant Address: 1483 Country Lake Estates Dr

City: Chesterfield State: MO Zip: 63005

Phone Number: 636-728-0345 Fax: 636-728-0346

E-mail: mkbulanda@sbcglobal.net

Description of Work: Installation of 14'W x 70'L x 12'H
batting cage

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.

[Signature]
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.

PROPERTY OWNER SIGNATURE: [Signature] DATE: 4/23/12

APPLICANT SIGNATURE: _____ DATE: _____
 (If other than Property Owner)

0080 MZA 120340



Rejected

MZA_120340

Date: 4/24/2012

Property Address	Subdivision	Lot
1483 COUNTRY LAKE ESTATES DR	80 COUNTRY LAKE ESTATES	30

Locator #	Ward	Date Received	Flood Plain
18V320388	4	4 /20/2012	NO

Zoning Class	Type
R1	Other

Property Owner	Tenant
Mark & Kelly Bulanda	Batting Cage

Applicant
Mark & Kelly Bulanda

Comments

4/20/2012 - Complete - Kkelley - A copy of the trustee email is included with the application. Additional correspondence was provided by the homeowner.

Under review with Aimee.

4/20/2012 - Rejected - Anassif - plan not to scale. In addition, batting cage appears to be in the required do not disturb landscape area. Called and left msg for Applicant regardig this. AN

4/24/2012 - Complete - Kkelley - Received resubmittal.

4/24/2012 - Rejected - Anassif - structure located in undisturbed area. There is an undisturbed landcape area required per ordinance 1238 which this batting cage is located within. AN

Status	Rejected	4 /24/2012	by Aimee Nassif, Planning and Development Servi
--------	----------	------------	---


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.

13-6-14
BURRELL
2012



GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.

REJECTED

DATE: 4/24/12

BY: [Signature]

BATTING CAGE
(70' L x 14' W
x 12' H)

LOT 6

LOT 7

LOT 8

LOT 6

FOUND OLD
CONG. MON.
0.14'S, 1.15'E

10'
(side yard
Setback)

S77°07'42"W
196.33'

30
24187 SQ.FT.

10' ESMT.

15' (rear yard setback)
5' ESMT'S

S67°38'53"W
170.81'

50.00'
S43°52'05"W

10' ESMT.

29
36012 SQ.FT.

STATE PLANE
COORDINATE (METRIC)

N 312,499.9170
E 239,098.5428

191.17'

PROPERTY N/F OF
LEONARD & VIRGINIA SCC
8786/2388

FOR CERTIFICATION, SEE SHEET 3 OF 3

SIDNEY D. BELTUN
DAVID KOLTUN
DUANE R. BURRELL

DUANE R. BURRELL
REGISTERED LAND SURVEYOR
NUMBER 18-2459

RECEIVED
APR 23 2012
DEPT. OF PLANNING
PUBLIC WORKS