



**IV.A.**

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

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## Board of Adjustment Staff Report

**Variance Type:** Area or Bulk

**Meeting Date:** August 1, 2013

**From:** Aimee Nassif, AICP  
Planning and Development Services Director

**Location:** 14826 Pleasant Ridge Court

**Applicant:** Hajji Mazen and Sawaf Randa

**Description:** B.A. 02-2013 14826 Pleasant Ridge Court (Hajji Mazen & Sawaf Randa):  
A request for a variance from St. Louis County Ordinance 10,968 for Lot 50 of Westchester Place to maintain a rear yard setback of 8 feet in lieu of the 12 foot setback requirement for a tract of land zoned as a Planned Environment Unit "PEU" and "R1-A" Residence district. (19R410673)

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### PROPOSAL SUMMARY

In April 2012, the property owners submitted a Municipal Zoning Application (MZA) to the Department for construction of an addition to the rear of their home. The request was reviewed and ultimately rejected as the proposed addition was shown to be located within the required rear yard structure setback.

Hajji Mazen and Sawaf Randa are now requesting a variance from the minimum rear yard setback requirement required for Westchester Place subdivision. Westchester subdivision is zoned "R-1A", "FP-R-1A", "R-2" and "FP-R-2" with a Planned Environment Unit (PEU). The subject property of this petition is zoned "R-1A" and has a minimum rear yard setback requirement of 12 feet. The property owners are requesting an 8 foot setback in order to accommodate construction of a 327 square foot addition to their home.

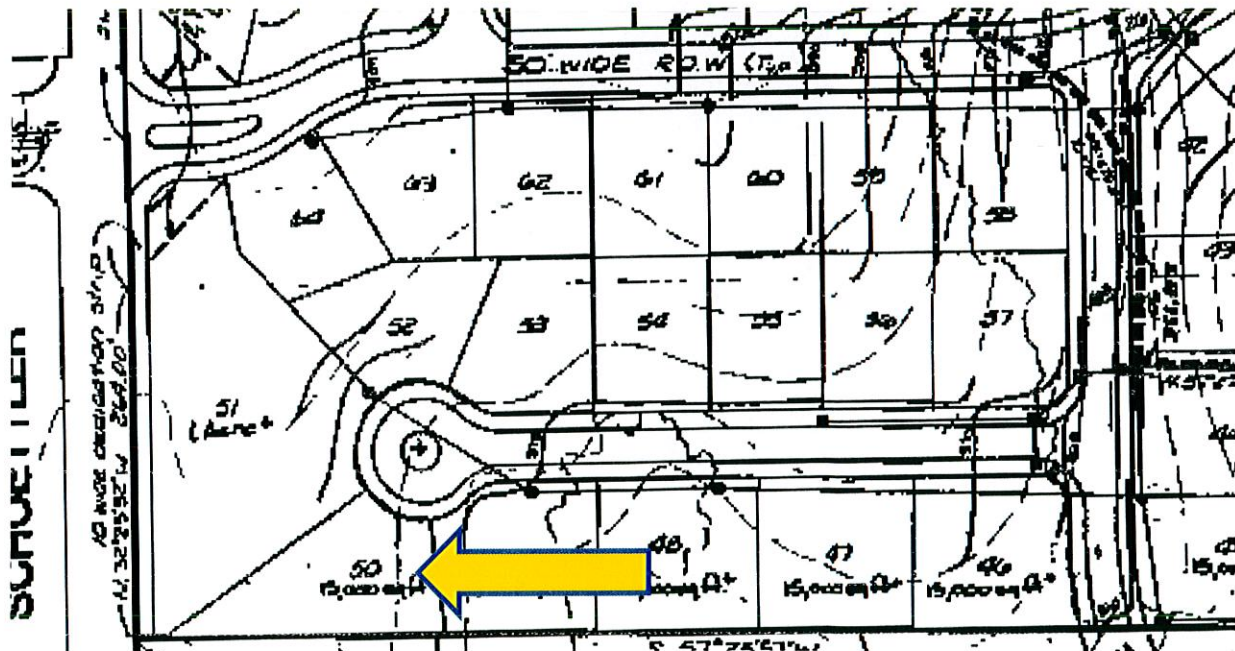
An application, along with photos of the site and letters of support from adjoining property owners, submitted by the Petitioner is attached hereto which includes an explanation of the above referenced request and statement of unnecessary hardship. Also attached for your reference is a copy of the Application for Municipal Zoning Approval which was rejected by the Planning and Development Services Division on April 30, 2012.

\*Please note that the original request in April 2012 noted that the application was denied due to a 15 foot required rear yard setback. Further review of the St. Louis County Ordinance for Westchester Place revealed that the required yard setback is only 12 feet as this is a perimeter lot. Therefore, the request before you is for an area variance to the 12 foot yard setback requirement.

### SITE HISTORY AND EXISTING CONDITIONS

St. Louis County Ordinance 10,968 authorized approval of a Planned Environment Unit (PEU) Development located within an "R-1A", "FP-R-1A", "R-2" and "FP-R-2" Residence District known as Westchester Place Subdivision. In 1983, subsequent to establishment of the zoning, a site development plan was reviewed and approved by St. Louis County. The site development plan was later followed up by the record plat which legally establishes the lot lines for each parcel so that they may be sold.

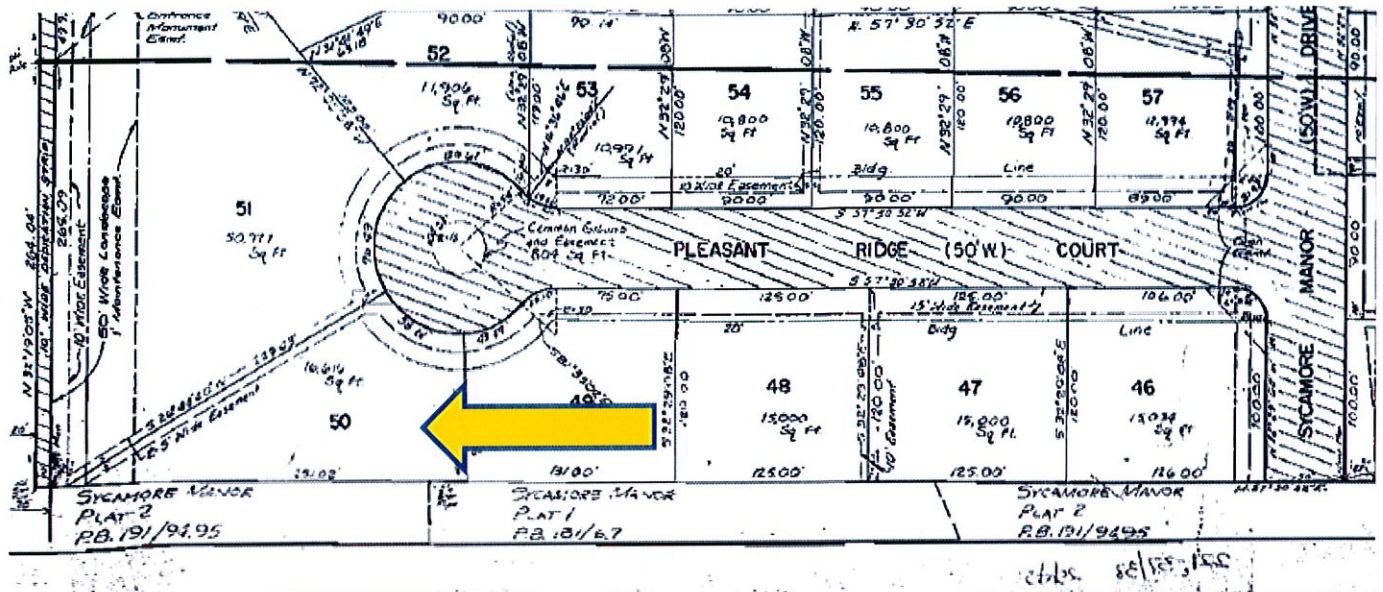
Figure 1: image from 1983 approved site development plan



The subject site, which is Lot 50 shown above, is located on the southern perimeter of the development on Pleasant Ridge Court.



Figure 2: image from the 1983 record plat.



The subject site, Lot 50 of Westchester Place, is located on Pleasant Ridge Court and is considered a perimeter lot which means that it is located along the perimeter of the Westchester Place development. **The planned district ordinance governing this development requires a 12 foot rear yard setback for all perimeter lots.**

Figure 3: aerial showing the limits of Westchester Place and Sycamore Manor subdivision.





Lot 50 is 16,616 square feet in size and comes to a narrow point in the side of the property near Schoettler Road. While the lot is of an unusual shape, it is the second largest lot on Pleasant Ridge Court and is one of the larger lots in the Westchester Place subdivision.

According to St. Louis County records, the current home on the subject site was constructed in 1984. The home is a two-story frame and brick home with a front entry garage totaling over 3,000 square feet in size. The Applicant purchased the lot in 1999.

On April 30, 2012 an Application was submitted to the Planning and Development Services Division requesting approval of an addition to the main residential structure along the southern side of the property. The proposed addition showed an encroachment into the required rear yard setback and the request was therefore denied.

Figure 4 below shows an aerial image of the subject site and highlights the area proposed for the improvement.

Figure 4: Lot 50 – Aerial Image and Proposed Improvement Location



***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 "pie shaped" lot at the end of the cul-de-sac. Please refer to the attached application for full statement from the Applicant. The Applicant has stated that the request is for a necessary addition to the residential structure, and the irregular shape of the lot makes it more difficult to adhere to the structure setbacks than other lots. The Applicant has also submitted letters of support from adjoining property owners.

**The Applicant is requesting a variance to maintain an 8 foot rear yard setback in lieu of the 12 foot rear yard setback requirement, along the perimeter of the Westchester Place subdivision and Sycamore Manor subdivision to accommodate the construction of an addition. The total size of the addition is approximately 327 square feet; however the total size of the addition which has been proposed in such a manner as to encroach into the required setback is approximately 30 square feet.**

***REVIEW OF VARIANCE REQUEST***

The Planning and Development Services Division has reviewed the request and submits the following information for the Board's consideration during review.

Under the "R-1A" Residence District with a PEU, a minimum 12 foot rear yard setback is required. The front and side yard setbacks are 25 and 8 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 an addition to encroach 4 feet into a 12 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 your packet.
4. Whether the difficulty can be obviated by some feasible method other than the variance. Review of the plot plan and site development plan by Staff indicates that there is room to accommodate an addition to the residential structure 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 and the original request for a change in zoning for Westchester Place subdivision. While this lot is of unusual shape, it is one of the largest lots in the subdivision and is the second largest on Pleasant Ridge Court. This lot is approximately .38 acres and has not been altered or changed since construction of the home in 1984. In addition, the residential structures on Pleasant Ridge Court range in size from approximately 2,190 square feet to 3,040 square feet (according to St. Louis County records). The residential structure existing on Lot 50 is one of the largest, at 3,022 square feet.

**DEPARTMENT RECOMMENDATION**

Upon review of the Application submitted by the Applicant, Staff does not believe that the burden of proof for granting an area variance as required by State Statute has been met. Staff recommends denial of the area variance request submitted.

Respectfully submitted,



Aimee E. Nassif, AICP  
Planning and Development Services Director

**Exhibits**

1. City of Chesterfield Zoning Ordinance (not in packet)
2. Notice of Public Hearing
3. Affidavit of Publication (not in packet)
4. Staff Report
5. St. Louis County Ordinance 10,968
6. Copy of Recorded Record Plat
7. Petitioner's Application
  - a. Application to Board of Adjustment
  - b. Proposed Plan showing addition
  - c. Property aerial
  - d. Letters of support
  - e. Property photos
  - f. Rejected Application for Municipal Zoning Approval



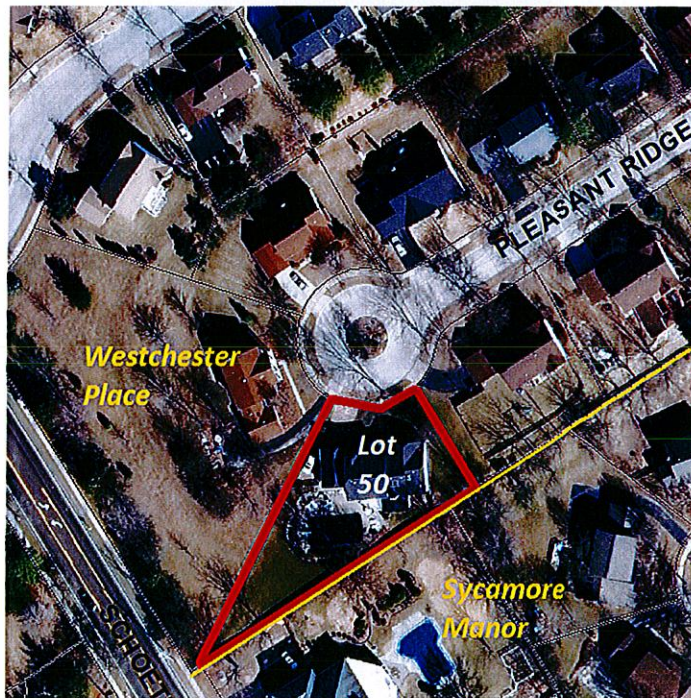
**Notice of Public Hearing  
City of Chesterfield  
Board of Adjustment**



**NOTICE IS HEREBY GIVEN** that the Board of Adjustment of the City of Chesterfield will hold a Public Hearing on Thursday, August 1, 2013 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. 02-2013 14826 Pleasant Ridge Court (Hajji Mazen and Sawaf Randa):** A request for a variance from St. Louis County Ordinance 10,968 for Lot 50 of Westchester Place to maintain a rear yard setback of 8 feet in lieu of the 12 foot setback requirement for a tract of land zoned as a Planned Environment Unit "PEU" and "R1-A" Residence district. (19R410673)



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](mailto:anassif@chesterfield.mo.us).

City of Chesterfield

Aimee Nassif, AICP  
Planning and Development Services Director



FILE  
ZON

BILL NO. 63, 1983

ORDINANCE NO. 10,968, 1983

Introduced by Councilman Stewart

AN ORDINANCE

AUTHORIZING AND GIVING PRELIMINARY APPROVAL TO A PLANNED ENVIRONMENT UNIT DEVELOPMENT OF A TRACT OF LAND LOCATED IN THE "R-1A" 22,000 SQ. FT. RESIDENCE DISTRICT, THE "FP R-1A" 22,000 SQ. FT. FLOOD PLAIN RESIDENCE DISTRICT, THE "R-2" 15,000 SQ. FT. RESIDENCE DISTRICT AND THE "FP R-2" 15,000 SQ. FT. FLOOD PLAIN RESIDENCE DISTRICT, SUBJECT TO CONDITIONS. (P.C. 2-83, Mason-Cassilly of Missouri, Inc.).

IT IS ORDAINED BY THE COUNTY COUNCIL OF ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1. Preliminary approval of a Planned Environment

Development of a tract of land located in the "R-1A" 22,000 Sq. Ft. Residence District, the "FP R-1A" 22,000 Sq. Ft. Flood Plain Residence District, the "R-2" 15,000 Sq. Ft. Residence District and the "FP R-2" 15,000 Sq. Ft. Flood Plain Residence District in St. Louis County, Missouri, is granted, said tract being described as follows:

A tract of unimproved land in U.S. Survey 366 and 370 T45N, R4E, St. Louis County, Missouri and being more particularly described as follows:

Beginning at a point at the dividing line of U.S. Survey 366 and 370 and on the Northeast line of Schoettler Road 45 feet wide; thence along the Northeast line of said road South 32 degrees 23 minutes East 264.21 feet to a point; said point being the most Western Corner of property now or formerly of H. W. Albright by deed book 291 page 521 of the St. Louis County Records; thence along the Northwest line of aforesaid property North 57 degrees 27 minutes East, 1480.18 feet to the center line of Coles Branch; thence along the center line of said creek, said courses and distances; North 0 degrees 27 minutes East 283.80 feet; North 70 degrees 03 minutes West 253.44 feet; North 34 degrees 34 minutes West 329.32 feet to the New South line of U.S. Highway 40-61; thence along the New Right of Way line of said Highway, North 76 degrees 16 minutes West 417.63 feet to the Eastern line of Property of H. Mastorakos; thence along the Southeast line of aforesaid Property South 45 degrees 11 minutes West 1216.83 feet to the Northeast line of Schoettler Road 40 feet wide; thence along the Northeast line of said Road, South 33 degrees 23 minutes east, 547.41 feet to the point of beginning containing 32.592 acres, more or less.

SECTION 2. The preliminary approval, pursuant to Section

of SLCRO 1974, as amended, is granted subject to all ordinances, rules and regulations and to the conditions recommended by the Planning Commission in its report dated January 31, 1983, as follows:

## PERMITTED USES

- I. The uses permitted by this ordinance shall be sixty-four (64) single-family residences of individual lots.

## SITE DEVELOPMENT CONCEPT AND SECTION PLAN SUBMITTAL REQUIREMENTS

- II. Within eighteen (18) months of County Councils approval of this Planned Environment Unit ordinance, and prior to the issuance of development or building permits, the petitioner or authorized representative shall submit, to the Planning Commission for its review and approval, a Site Development Concept Plan. Where due cause is shown by the petitioner or authorized representative, this time interval may be extended by the Planning Commission per Section 1003.187-10 of the St. Louis County Zoning Ordinance.

Said plans shall include, but not be limited to, the following general design criteria.

### GENERAL CRITERIA

- A. The Site Development Concept and Section Plan shall include the following:
  1. Outboundary plat and legal description of the property.
  2. Location of all roadways adjacent to the property.
  3. General design of the development to include the following:
    - (a) Parking and building setbacks along all roadways and P.E.U. boundard lines.
    - (b) Unit type, number, and appropriate location of units.
    - (c) Minimum and maximum lot sizes.
    - (d) Conceptual location and size of common ground areas and recreation facilities, major easements, detention areas, and sidewalks (to include common ground walkways).
    - (e) General location, required improvements and size (pavement and right-of-way width) of all interior roadways.
  4. Zoning district lines and flood plain boundaries.
  5. Density calculations.
  6. Existing and proposed contours at vertical intervals of not more than five (5) feet referred to sea level datum.

Subsequent to the Site Development Concept Plan approval date by the St. Louis County Planning Commission, and prior to any site preparation or construction, the petitioner shall submit to the Department of Planning for its review and approval the first Site Development Section Plan. (For developments consisting of a single plat or phase, the site development concept plan shall include all the information required for concept and section plans and the requirement for site development section plan may be waived.) The Site Development Section Plan shall include the following specific design criteria.

### SPECIFIC CRITERIA

B.

#### BUILDING REQUIREMENTS

1. Height of the authorized dwelling units shall not exceed three (3) stories in height.



#### LOT AREA AND YARD REQUIREMENTS

2. Minimum lot size is 10,000 square feet.
3. Minimum lot size for lots along the southeastern boundary line of the P.E.U. shall be 15,000 square feet.
4. Minimum lot size for lots along Schoettler Road shall be one (1) acre.
5. Structure and parking setbacks for lots along the Planned Environment Unit boundary lines shall not be diminished below that required by the zoning district regulations within which the lot is situated.
6. Structure and parking setbacks other than those required in 5. above shall be as approved by the Planning Commission.

#### ROAD IMPROVEMENTS

7. Improve one-half (1/2) of Schoettler Road to a sixty (60) foot right-of-way, with a five (5) foot wide Roadway Maintenance and Utility Easement, and one-half (1/2) of a thirty-eight (38) foot pavement, including all bridges and culverts, as directed by the St. Louis County Department of Highways and Traffic.
8. Locate proposed entrance to Schoettler Road opposite Grantley Road.
9. Extend Sycamore Manor Drive into the development as directed by the St. Louis County Department of Highways and Traffic.

#### ACCESS

10. Access shall be limited to one (1) bi-directional drive from Schoettler Road and to the extension of Sycamore Manor Drive.
11. No private driveway access to Schoettler Road shall be permitted.

#### LIGHTING

12. Subdivision lighting shall be as approved by the Planning Commission on the Site Development Concept Plan.

#### SIDEWALKS

13. Provide sidewalk adjacent to Schoettler Road.
14. Sidewalks shall be provided along internal subdivision roadways per the requirements of Section 1005.270 of the St. Louis County Subdivision Ordinance.

#### SIGNS

15. Sign regulations shall be the same as those contained in Section 1003.168A-D of the St. Louis County Zoning Ordinance.

#### SUPPLEMENTAL DOCUMENTS

- C. Additional documentation in the form of studies and reports required for a complete review of applicable plans include the following:

#### STORMWATER

1. Submit to the Planning Commission or Department of Planning an engineering plan approved by the Department of Highways and Traffic showing that adequate handling of the stormwater drainage of the site is provided.

## FLOOD PLAIN STUDY

2. Submit to the Planning Commission a flood plain study approved by the Department of Highways and Traffic.

## VERIFICATIONS PRIOR TO APPROVAL OF THE SITE DEVELOPMENT CONCEPT PLAN OR SITE DEVELOPMENT SECTION PLAN

- III. Prior to the approval of the Site Development Concept Plan or Site Development Section Plan, the developer shall provide verification of the following:

### ROADWAY IMPROVEMENTS

- A. Approval by the St. Louis County Department of Highways and Traffic of the required roadway improvements.

### RECORDING

- IV. Upon approval of the Site Development Concept Plan by the Planning Commission, the owner(s) shall, within sixty (60) days of the approval date, record the plan with the St. Louis County Recorder of Deeds as a Planned Environment Unit. Failure to record the Site Development Concept Plan within the time specified shall cause approval of the plan to terminate. An extension of recording time may be granted by the Planning Commission for a period not to exceed one hundred eighty (180) days from the date of approval by the Planning Commission.

### VERIFICATION PRIOR TO BUILDING PERMITS

- V. Subsequent to approval of a Site Development Concept Plan or Site Development Section Plan, and prior to issuance of any building permits, the following requirements shall be met:
  - A. All approvals from the Planning Commission, Departments of Planning, and Highways and Traffic, Metropolitan St. Louis Sewer District, and Missouri Highway and Transportation Department (if required) must be received by the Department of Public Works.
  - B. Record a proper subdivision plat. With the filing of the first record plat, the petitioner shall record an approved indenture or other document defining the necessary assessment and specific resident obligations for care of all open space in accord with provisions of Section 1003.187 of the St. Louis County Zoning Ordinance.

### VI. GENERAL DEVELOPMENT CONDITIONS

General Development Conditions relating to the operation, construction, improvements and regulatory requirements to be adhered to by the developer are as follows:

- A. If at any time the conditions of this ordinance are modified in such a manner that would substantially alter the then recorded plan as determined by the Department of Planning, the developer shall submit an amended plan for review subject to requirements of this ordinance and the St. Louis County Zoning Ordinance prior to the issuance of any construction permits.
- B. Substantial construction shall commence within two (2) years of approval of the Site Development Concept Plan, unless otherwise authorized by ordinance. Where due cause is shown by the petitioner, the Commission may extend the period to commence construction for not more than one



additional year. As used in this section, substantial construction shall mean final grading for roadways necessary for first approved plat or phase of construction and commencement of installation of sanitary and storm sewers.

- C. The developer is required to provide adequate stormwater systems in accordance with St. Louis County Standards.
- D. All stormwater shall be discharged at an adequate natural discharge point.
- E. Detention of differential runoff of stormwater for each water shed is required by providing permanent detention facilities, such as: dry reservoirs, ponds or other acceptable alternative.
- F. A grading permit is required for any grading on the site. No change in watersheds shall be permitted. Interim stormwater drainage control in the form of siltation control measures are required.
- G. The developer shall be required to provide temporary off-street parking for construction employees. Parking by construction employees on non-paved surfaces shall be prohibited.
- H. The Zoning Enforcement Office of St. Louis County, Missouri shall enforce the conditions of this [ordinance] [permit] in accord with the Final Development Plan approved by the St. Louis County Planning Commission.

SECTION 3. The St. Louis County Council, pursuant to petition of Mason-Cassilly of Missouri, Inc., requesting the approval of a Planned Environment Unit Development for the tract of land described in Section 1 of this ordinance as an alternative zoning, and pursuant to the recommendation of the Planning Commission that said petition be granted after public hearing held by the said Commission on January 10, 1983, adopts this ordinance pursuant to the St. Louis County Charter authorizing the Council to exercise legislative power pertaining to planning and zoning, and as the application and plan to the St. Louis County Planning Commission for consideration of final development plans pursuant to Section 1003.187 SLCRO 1974, as amended.

ADOPTED: February 24, 1983

APPROVED: February 25, 1983

ATTEST: LELA APPERSON  
DEPUTY ADMINISTRATIVE DIRECTOR

MAURICE L. STEWART  
CHAIRMAN, COUNTY COUNCIL

GENE McNARY  
COUNTY EXECUTIVE

# WESTCHESTER PLACE

A TRACT OF LAND IN U.S. SURVEYS 366 & 370,  
T. 45 N., R. 4 E., ST. LOUIS COUNTY, MISSOURI

A PLANNED ENVIRONMENT  
UNIT DEVELOPMENT.

SHEET 2 of 2

ORDER NUMBER: 83-01-034

OFFICE OF THE STERLING ENGINEERING AND SURVEYING CO., INC.  
3460 HOLLENBERG DRIVE  
BRIDGETON, MISSOURI 63044



THIS IS TO CERTIFY THAT WE HAVE, DURING THE MONTH OF APRIL 1983, BY ORDER OF J.L. MASON OF MISSOURI, INC., MADE A SURVEY AND SUBDIVISION OF "A TRACT OF LAND IN U.S. SURVEYS 366 & 370, TOWNSHIP 45 NORTH-RANGE 4 EAST, ST. LOUIS COUNTY, MISSOURI AND THE RESULTS OF SAID SURVEY AND SUBDIVISION ARE CORRECTLY REPRESENTED ON THIS PLAT, AND THE LOCATION OF CONCRETE MONUMENTS INSTALLED OR TO BE INSTALLED ARE CORRECTLY SHOWN HEREON.

IN WITNESS WHEREOF, IT HAS SIGNED AND SEALED THE FOREGOING THIS 17 DAY OF August, 1983.

THE STERLING ENGINEERING AND SURVEYING CO., INC.

STERLING R. KENNEDY  
PRESIDENT - No. REG. L.S. 194

WE, 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 WESTCHESTER PLACE. GRANTLEY DRIVE, 50 FEET WIDE, CHERRY GLEN COURT, 50 FEET WIDE, SYCAMORE MAJOR DRIVE, 50 FEET WIDE, PLEASANT RIDGE COURT, 50 FEET WIDE, COLONY WAY COURT, 50 FEET WIDE, THE 10 FOOT WIDE DEDICATION STRIP ALONG THE NORTHEAST LINE OF SCHOETTLE ROAD, 40 FEET WIDE, TOGETHER WITH CUL-DE-SACS AND ROUNDINGS LOCATED AT THE STREET INTERSECTIONS, WHICH FOR BETTER IDENTIFICATION ARE SHOWN CROSS HATCHED ON THIS PLAT, ARE HEREBY DEDICATED THE ST. LOUIS COUNTY FOR PUBLIC USE FOREVER.

ALL EASEMENTS SHOWN ON THIS PLAT, UNLESS DESIGNATED FOR OTHER PURPOSES, ARE HEREBY DEDICATED TO ST. LOUIS COUNTY, MISSOURI, ST. LOUIS COUNTY WATER COMPANY, LACLEDE GAS COMPANY, UNION ELECTRIC COMPANY, SOUTHWESTERN BELL TELEPHONE COMPANY, METROPOLITAN ST. LOUIS SEWER DISTRICT (FOR SANITARY SEWERS ONLY) AND TO THEIR SUCCESSORS AND ASSIGNS AS THEIR INTERESTS MAY APPEAR FOR THE PURPOSE OF PUBLIC UTILITIES AND SEWER AND DRAINAGE FACILITIES, WITH THE RIGHT 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.

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 AS DEDICATED TO THE METROPOLITAN ST. LOUIS SEWER DISTRICT PER THE ABOVE, SHALL NOT BE IN THE POSSESSION OR CONTROL OF THE DISTRICT, NOR SHALL THE DISTRICT BE RESPONSIBLE FOR THE MAINTENANCE, INSPECTION, ALTERATION, REPAIR, OPERATION, REMOVAL OR RELAY OF ANY STORMWATER DRAINAGE SYSTEM UNTIL IT ACCEPTS SAID EASEMENTS FOR DEDICATION.

ROADWAY MAINTENANCE, SEWER, IMPROVEMENT AND UTILITY EASEMENTS ARE HEREBY DEDICATED TO ST. LOUIS COUNTY, MISSOURI, FOR PUBLIC USE FOREVER.

SIDEWALK, SEWER AND UTILITY EASEMENTS ARE HEREBY DEDICATED TO ST. LOUIS COUNTY, MISSOURI, FOR PUBLIC USE FOREVER.

ALL SIGN EASEMENTS ARE HEREBY DEDICATED TO J.L. MASON OF MISSOURI, INC.

ALL COMMON GROUND EASEMENTS, SUCH AS CUL-DE-SAC ISLANDS AND DIVIDED STREET ISLANDS OR MEDIAN STRIPS, ARE HEREBY DEDICATED TO THE TRUSTEES OF THE AFOREMENTIONED SUBDIVISION FOR LANDSCAPE MAINTENANCE ONLY. HOWEVER, NO ABOVE GROUND STRUCTURE, OTHER THAN REQUIRED STREET LIGHTS OR OTHER PUBLIC UTILITIES IN ACCORDANCE WITH THE APPROVED IMPROVEMENT PLANS MAY BE CONSTRUCTED OR INSTALLED WITHIN CUL-DE-SAC ISLAND, DIVIDED STREET ISLAND, OR MEDIAN STRIP, WITHOUT AUTHORIZATION BY THE ST. LOUIS COUNTY DEPARTMENT OF HIGHWAYS AND TRAFFIC THROUGH THE ISSUANCE OF A SPECIAL USE PERMIT. ALL LANDSCAPE AND MAINTENANCE EASEMENTS ARE HEREBY DEDICATED TO THE TRUSTEES OF WESTCHESTER PLACE FOR MAINTENANCE OF LANDSCAPING.

BUILDING LINES AS SHOWN ON THIS PLAT ARE HEREBY ESTABLISHED. THIS SUBDIVISION IS SUBJECT TO CONDITIONS AND RESTRICTIONS TO BE FILED.

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 17 DAY OF August, 1983.

J.L. MASON OF MISSOURI, INC.

LARRY ANDERSEN, PRESIDENT

STATE OF MISSOURI }  
COUNTY OF ST. LOUIS } SS

ON THIS 17 DAY OF August, 1983, BEFORE ME APPEARED LARRY ANDERSEN, TO ME PERSONALLY KNOWN, WHO BEING BY ME DULY SWORN, DID SAY HE IS DIVISION PRESIDENT OF J.L. MASON OF MISSOURI, INC., AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE CORPORATE SEAL OF SAID CORPORATION AND THAT SAID INSTRUMENT WAS SIGNED AND SEALED IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS, AND SAID LARRY ANDERSEN, ACKNOWLEDGED SAID INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID CORPORATION.

IN TESTIMONY WHEREOF, I HAVE HERewith SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT OF "WESTCHESTER PLACE," HAS BEEN APPROVED BY THE ST. LOUIS COUNTY COUNCIL THIS 17 DAY OF August, 1983.

ST. LOUIS COUNTY PLANNING COMMISSION

LEE A. JONES, DIRECTOR OF PLANNING

DRAWN	SS
CHECKED	SS

78

APP (3)



# WESTCHESTER PLACE

75.00  
76.00

N/R. RICHARD & ROSEMARY PFEIFER  
5825/429

A TRACT OF LAND IN U.S. SURVEYS 366 & 370, T. 45 N., R. 4 E., ST. LOUIS COUNTY, MISSOURI  
A PLANNED ENVIRONMENT  
UNIT DEVELOPMENT

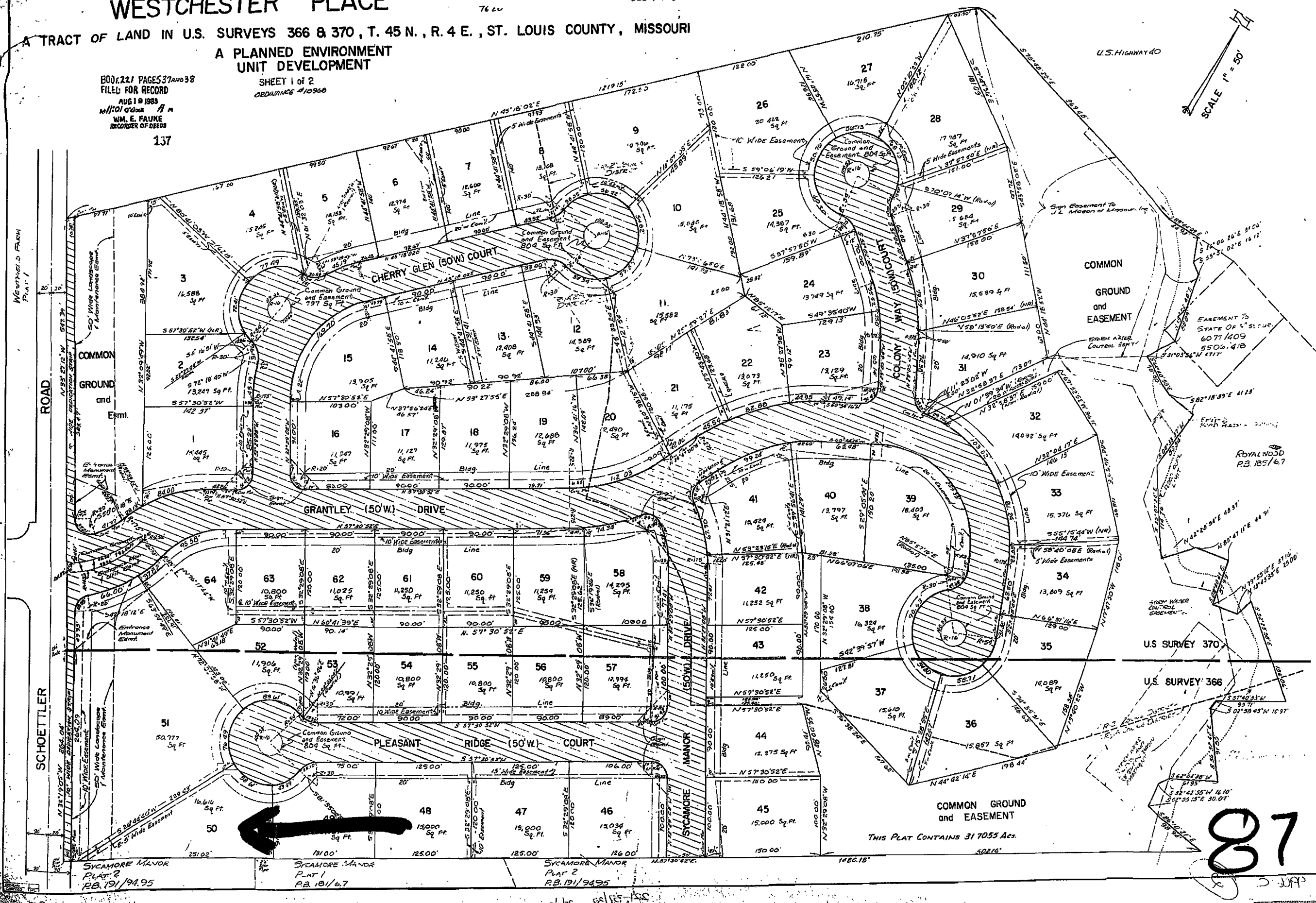
800,221 PAGES 37 AND 38  
FILED FOR RECORD

AUG 19 1983  
W.M. E. FAUKE  
REGISTERED SURVEYOR

SHEET 1 of 2  
ORDINANCE #10960

137

U.S. HIGHWAY 40  
SCALE 1" = 50'



87

COMMON GROUND  
and EASEMENT  
THIS PLAT CONTAINS 317055 Ac.

SYCAMORE MANOR  
PLAT 2  
P.B. 191/94.95

SYCAMORE MANOR  
PLAT 1  
P.B. 181/6.7

SYCAMORE MANOR  
PLAT 2  
P.B. 191/94.95

CHAS. S. JEFFERS

RECEIVED  
City of Chesterfield

APR 16 2013



City of  
Chesterfield

EXHIBIT

7a

Department of Public Services

PLANNING & DEVELOPMENT SERVICES DIVISION

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 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](http://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 \_\_\_\_\_  
 ) 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: Hajji Mazen A & Sawaf Randa H/W

Address: 14826 Pleasant Ridge Court

City: Chesterfield State: MO Zip: 63017

Tel.: 636-537-4664 Fax: \_\_\_\_\_

Petitioner, if other than owner(s): James T. Bellistri \ BH Properties

Address: 2424 Northline Industrial Blvd

City: Maryland Heights State: MO Zip: 63043

Tel.: 314-344-4421 Fax: \_\_\_\_\_

Legal Interest: Contractor (see attached for other parties)

(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](http://www.chesterfield.mo.us)

## II. PROPERTY INFORMATION

**Project Address:** 14826 Pleasant Ridge Court

**Locator Number(s):** 19R410673

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

**Acreage:** 0.4 (To the nearest tenth of an acre)

**Subdivision Name (If applicable):** Westchester Place

**Current Zoning District:** R1-A Planned Environment Unit Development (P.B. 218 Pgs. 12-13)

### Legal Description of Property:

Lot 50  
Westchester Place  
(P.B. 221 Pg. 37)  
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.):

Narrow "Pie Shaped" Lot at the end of a Culdesac

(Attach additional sheets as necessary)

### Description of the necessity of the proposed improvement:

In order to accommodate a necessary addition \ main floor living to the existing structure.

### Ordinance Number and section to which a variance is sought:

1003.112 - 1.C(2) - Setbacks (as well as P.E.U. Development per Development Plan P.B. 218 Pgs 12/13)

(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 existing property owners require additional main floor living space to accommodate the family needs. Although their Lot is typical in size and larger than some of the other Lots within the subdivision, the irregular geometric shape of their Lot, compounded by the existing setback requirements, limits the available usable space of the Lot.

This Lot is "pie" shaped with the existing house being situated somewhat diagonal to make usage of the buildable area of the Lot.

The Homeowner has looked at other areas on the Lot to make an addition and all have had either the same resulting issue with setback requirements or yield other issues making it impossible or certainly unfeasible and impractical to build the addition elsewhere such as the existing layout of the home including kitchen and bath placement and garage location.

There is only one property that is potentially affected in any way by this proposed addition and requested variance to the existing setback requirement and that would be the adjoining parcel located at 1484 Schoettler Road which is also discussed at the top of page 4 of 10 of this application. This adjoining property fronts Schoettler Road and the common property line is a side yard for the adjoining property.

With the adjoiner being a side yard and no other properties being affected, it is requested that the rear yard of Lot 50 of Westchester Place be adjusted and viewed as a side yard for this Lot. The existing side yard setbacks for Westchester Place are 8 feet.

There are no easements or public facilities along this property line to be affected.

The adjoining property owner has previously consented to a lesser setback request of 6 feet versus the 8 foot setback currently being requested with this application.

(Attach additional sheets as necessary)

**Description of the effect or impact on neighboring properties:**

The proposed addition is at the rear of the existing house as shown on the attached plan. There is no impact to the adjoining parcels to either side. The adjoining property to the rear, 1484 Schoettler Road, whose owner Mr. Aiguo Gao has signed a consent to the addition as also attached, would be the only real parcel that would have any impact. However, the existing structure at 1484 Schoettler Road is over 100 feet away and the existing property line between the two parcels has a privacy fence and an existing large tree that helps screen the properties.

(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:
<b>Front Yard:</b>	n/a	20' (per PEU) 25' R1-A
<b>Side Yard:</b>	n/a	8' (per PEU) 15' R1-A
<b>Rear Yard:</b>	8'	15' (per PEU) 12' R1-A
<b>Height:</b>	n/a	n/a

**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

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

*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](http://www.chesterfield.mo.us)



**IV. COMPLIANCE**

Is property in compliance with all previous conditions of approval of all applicable Ordinance requirements?

Yes  No. If no, please explain:

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

Yes  No. If no, please explain:

Minor encroachment onto left side yard setback as shown.

**[THIS SPACE INTENTIONALLY LEFT BLANK]**

V. STATEMENT OF CONSENT

STATEMENT OF CONSENT

I hereby give CONSENT to The Sterling Company (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)

Mazen A. Hajji

(Name- type, stamp or print clearly)

Mazen A. Hajji

(Signature)

14826 Pleasant Ridge Ct.  
Chesterfield, MO 63017

(Address, City, State, Zip)

(Name of Firm)

Note: Attach additional sheets as necessary.

NOTARY PUBLIC INFORMATION: STATE OF MISSOURI, CITY OF CHESTERFIELD

The foregoing instrument was subscribed and sworn to before me this 8th day of November 20 12.

Signed Mirza Huseinovic

Notary Public

Print Name: Mirza Huseinovic

Seal/Stamp:

My Commission Expires: Jun 6, 2016



**VI. AFFIDAVIT OF COMPLETENESS AND ACCURACY**

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

**Project Name:** 14286 Pleasant Ridge Court

**Submittal Date:** 11-13-12

**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 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.

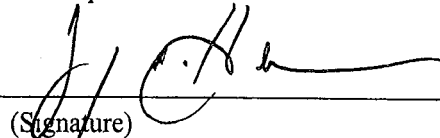
**Check (✓) one:**  I am the property owner.  I am the contract purchaser.  
 I am the duly appointed agent of the petitioner.

Jamey A. Henson, P.L.S.

(Name- type, stamp or print clearly)

The Sterling Company

(Name of Firm)



(Signature)

5055 New Baumgartner Road  
St. Louis, MO 63129

(Address, City, State, Zip)

Note: Attach additional sheets as necessary.

**NOTARY PUBLIC INFORMATION: STATE OF MISSOURI, CITY OF CHESTERFIELD**

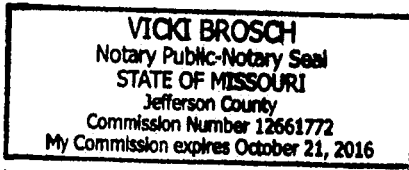
The foregoing instrument was subscribed and sworn to before me this 13<sup>TH</sup> day of NOV 20 12.

Signed Vicki Brasch  
Notary Public

Print Name: VICKI BROSCN

Seal/Stamp:

My Commission Expires: 10/21/2016





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

**Project Name:** \_\_\_\_\_ **Ward:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **Locator:** \_\_\_\_\_

**STATE OF MISSOURI, CITY OF CHESTERFIELD**

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

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

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

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

\_\_\_\_\_  
Finance Director  
City of Chesterfield

\_\_\_\_\_  
Date

**[THIS PAGE FOR INTERNAL USE]**

**STAFF / BOA USE ONLY**

**Intake Date:** \_\_\_\_\_

**This petition is granted / denied (circle one) on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_**

**Signed:** \_\_\_\_\_

**Chairman**

**[THIS PAGE FOR INTERNAL USE]**

# WESTCHESTER PLACE

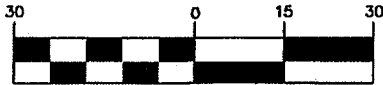
## LOT 50

(P.B. 221 Pg. 37)  
 ST. LOUIS COUNTY RECORDS  
 #14826 PLEASANT RIDGE COURT  
 Chesterfield, MO

EXHIBIT  
 7b

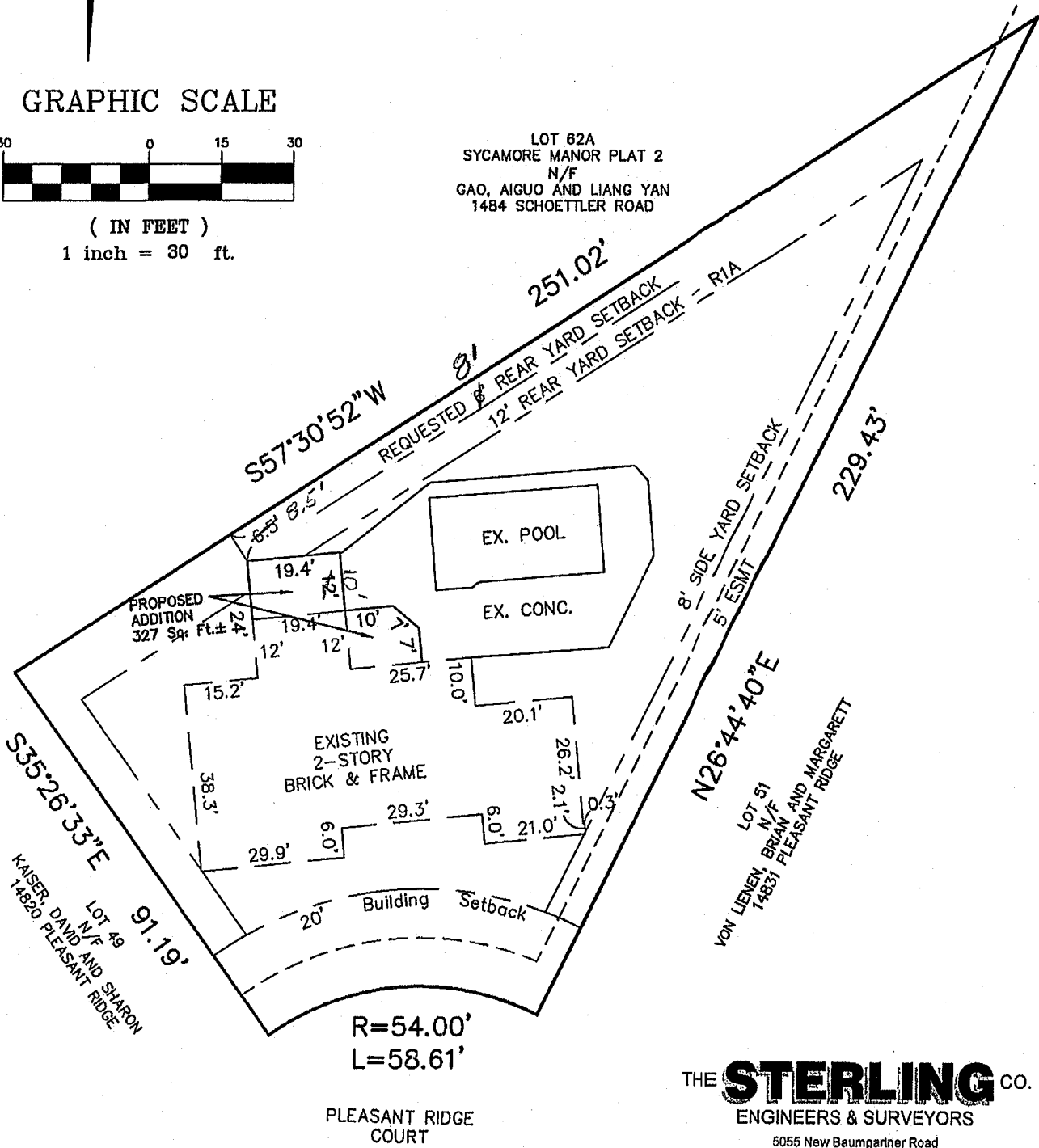


### GRAPHIC SCALE



( IN FEET )  
 1 inch = 30 ft.

LOT 62A  
 SYCAMORE MANOR PLAT 2  
 N/F  
 GAO, AIGUO AND LIANG YAN  
 1484 SCHOETTLER ROAD



PROPOSED ADDITION

THE **STERLING** CO.  
 ENGINEERS & SURVEYORS

5055 New Baumgartner Road  
 St. Louis, Missouri 63129  
 Ph 314-487-0440 Fax 314-487-8944  
 www.sterling-eng-sur.com  
 Corporate Certificate of Authority #001348





## St. Louis County Property Viewer



© Copyright 2011 St. Louis County. All rights reserved. Terms of Use. St. Louis County makes no warranty for fitness of use for a particular purpose, express or implied, with respect to this map product. Printed: Nov 13, 2012

EXHIBIT

7c

tabbles



Notice of Request for Variance

This letter is to advise you that the owner of 14826 Pleasant Ridge Court, Chesterfield, Missouri, will be petitioning the Board of Adjustment of the City of Chesterfield, Missouri for a variance of the minimum rear yard setback requirement for the R1-A residential district as it affects the property of 14826 Pleasant Ridge Court. The current minimum rear building setback for this district is 12 feet. The petitioner will request a variance in accordance with the improvements identified on the attached exhibit. A portion of the proposed improvements will impact the current minimum rear yard setback approximately 5.5 feet.

As owner(s) of neighboring property, the petitioner asks that you please complete the below variance consent form.

Variance Consent Form

The undersigned state(s) that he/she or they are the owner(s) of 1484 Schoettler Rd, neighboring property to 14826 Pleasant Ridge Court.

By marking the appropriate line below, the undersigned does hereby indicate their preference in the variance request.

I Does Consent to this proposed Variance

           Does Not Consent to this proposed Variance

Dated this 26 day of August, 20 12.

By: [Signature]  
Signature  
Ai Guo Gao  
Name Printed

By: [Signature]  
Signature  
YAN LIANG  
Name Printed

**Notice of Request for Variance**

This letter is to advise you that the owner of 14826 Pleasant Ridge Court, Chesterfield, Missouri, will be petitioning the Board of Adjustment of the City of Chesterfield, Missouri for a variance of the minimum rear yard setback requirement for the R1-A residential district as it affects the property of 14826 Pleasant Ridge Court. The current minimum rear building setback for this district is 12 feet. The petitioner will request a variance in accordance with the improvements identified on the attached exhibit. A portion of the proposed improvements will impact the current minimum rear yard setback approximately 5.5 feet.

As owner(s) of neighboring property, the petitioner asks that you please complete the below variance consent form.

**Variance Consent Form**

The undersigned state(s) that he/she or they are the owner(s) of 14831 Pleasant Ridge CT, neighboring property to 14826 Pleasant Ridge Court.

By marking the appropriate line below, the undersigned does hereby indicate their preference in the variance request.

**Does** Consent to this proposed Variance

**Does Not** Consent to this proposed Variance

Dated this 8-28-12 day of August 12, 20 12.

By: Brian S Von Liemen

Signature

Brian S Von Liemen

Name Printed

By: \_\_\_\_\_

Signature

\_\_\_\_\_

Name Printed

**Notice of Request for Variance**

This letter is to advise you that the owner of 14826 Pleasant Ridge Court, Chesterfield, Missouri, will be petitioning the Board of Adjustment of the City of Chesterfield, Missouri for a variance of the minimum rear yard setback requirement for the R1-A residential district as it affects the property of 14826 Pleasant Ridge Court. The current minimum rear building setback for this district is 12 feet. The petitioner will request a variance in accordance with the improvements identified on the attached exhibit. A portion of the proposed improvements will impact the current minimum rear yard setback approximately 5.5 feet.

As owner(s) of neighboring property, the petitioner asks that you please complete the below variance consent form.

**Variance Consent Form**

The undersigned state(s) that he/she or they are the owner(s) of 14820 Pleasant Ridge Ct., neighboring property to 14826 Pleasant Ridge Court.

By marking the appropriate line below, the undersigned does hereby indicate their preference in the variance request.

**Does** Consent to this proposed Variance  
 **Does Not** Consent to this proposed Variance

Dated this 28 day of August, 20 12.

By: [Signature]

Signature  
David Kaiser

Name Printed

By: \_\_\_\_\_

Signature  
\_\_\_\_\_

Name Printed





tabbles®  
— 7e —  
**EXHIBIT**













tabbles  
7f

City of Chesterfield  
Municipal Zoning Application

# Rejected

MZA\_120370

Date: 4/30/2012

Property Address		Subdivision		Lot
14826 PLEASANT RIDGE CT		87	WESTCHESTER PLACE	50

Locator #	Ward	Date Received	Flood Plain
19R410673	2	4 /27/2012	NO

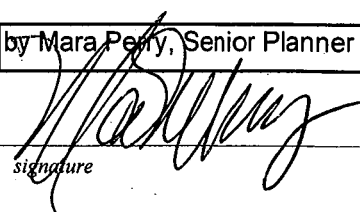
Zoning Class	Type
R1A	Addition

Property Owner	Tenant
Maz Hajji	New Addition

Applicant
Dan Kremer

**Comments**  
4/27/2012 - Complete - Kkelley - A copy of the trustee email is included with the application.  
  
Assigned to Mara, Ben or Jeff.  
4/30/2012 - Rejected - Mperry - does not meet the rear yard setback of 15 feet

Status	Rejected	4 /30/2012	by Mara Perry, Senior Planner
--------	----------	------------	-------------------------------

  
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.

**RECEIVED**  
City of Chesterfield  
  
**APR 19 2013**  
  
Department of Public Services

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

MZA 06/08



# City of Chesterfield

OFFICE USE ONLY	
MZA #:	120370
Locator #:	19R410673
Subdivision:	Lot 50 02 R1A <i>Westchester Place</i>

## II. MUNICIPAL ZONING APPROVAL APPLICATION

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: 14826 PLEASANT RIDGE CT Zip: 63017

Property Owner Name(s): MR. MAZ. HAJJI  
 Property Owner Address (if different than above): \_\_\_\_\_  
 City: CHESTERFIELD State: MO Zip: 63017  
 E-mail: DAN KREMER@SBCGLOBAL.NET  
 Tenant Name (if different than above): \_\_\_\_\_  
 Existing Tenant  Proposed Tenant

Applicant Name: DAN KREMER Attn: \_\_\_\_\_  
 Applicant Address: 1220 EQUESTRIAN WAY  
 City: FENTON State: MO Zip: 63026  
 Phone Number: 314 565 0730 Fax: \_\_\_\_\_  
 E-mail: DAN KREMER@SBCGLOBAL.NET

Description of Work:

NEW ADDITION TO REAR OF PROPERTY

RECEIVED  
APR 27 2012

DFP

**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: 4/27/2012  
 APPLICANT SIGNATURE: [Signature] DATE: 4/27/2012  
*(If other than Property Owner)*



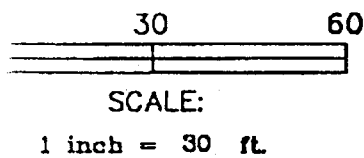
**SURVEYOR'S REAL PROPERTY REPORT**  
**THIS DOES NOT CONSTITUTE A BOUNDARY SURVEY**

**WESTCHESTER PLACE**

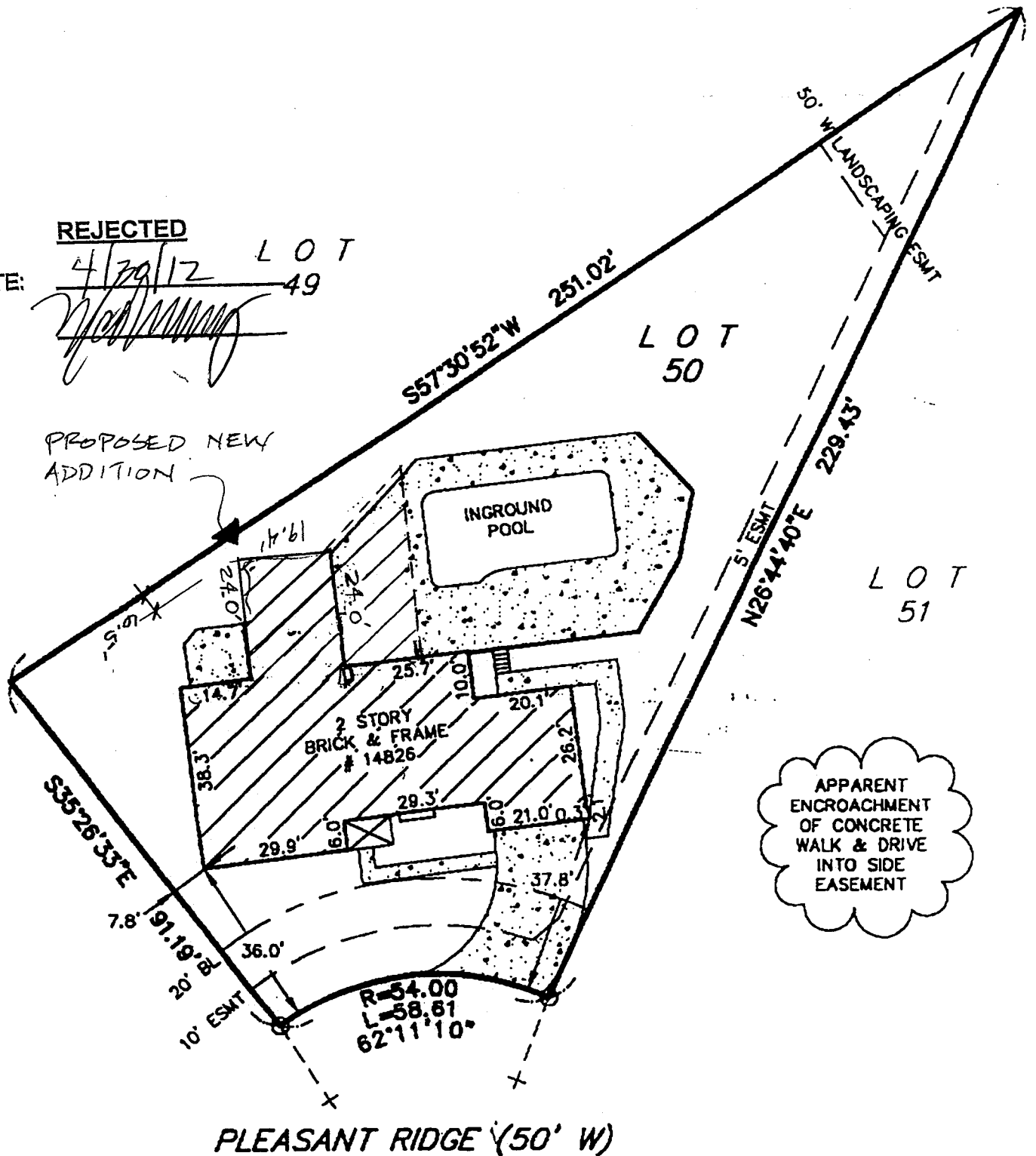
ST. LOUIS COUNTY, MISSOURI

**MONUMENT LEGEND**

IRON PIPE	O
R.R. SPIKE	T
IRON ROD	o
AXLE	⊗
SLASH	
OFFSET CROSS	+
ANCHOR CROSS	⊕
⊙ CROSS	⊙+
CONC. MONUMENT	■



**REJECTED**  
 DATE: 4/29/12 LOT 49  
 BY: *[Signature]*

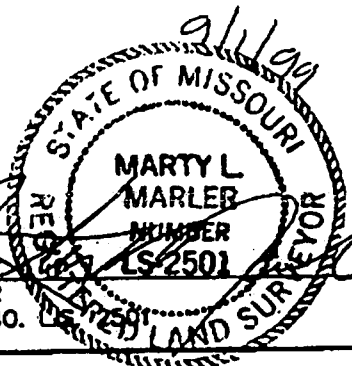


APPARENT ENCROACHMENT OF CONCRETE WALK & DRIVE INTO SIDE EASEMENT

ALL DIMENSIONS LOCATING THE STRUCTURES AS SHOWN ARE TO A LEVEL OF CERTAINTY OF  $\pm 1.0'$

A BOUNDARY SURVEY IS RECOMMENDED PRIOR TO ANY OTHER IMPROVEMENTS BEING ADDED TO THIS PARCEL.

By: *[Signature]*  
 MARTY L. MARLER  
 MISSOURI CERT. NO. 2501



WE CERTIFY AT THE REQUEST OF HILLSBORO TITLE WE HAVE ON THE 27 TH DAY OF AUGUST, 1999 MADE A SURVEYOR'S REAL PROPERTY REPORT ON LOT 50 OF WESTCHESTER PLACE DIVISION RECORDED IN PLAT BOOK 221 PAGE 37 IN THE ST. LOUIS COUNTY LAND RECORDS OFFICE IN ST. LOUIS COUNTY,

MISSOURI, AND THAT THE RESULTS OF SAID REPORT ARE CORRECTLY REPRESENTED HEREON: THAT THE SAID REPORT HAS BEEN PERFORMED TO CONFORM WITH THE CURRENT STANDARDS FOR SURVEYOR'S REAL PROPERTY REPORT AS SET FORTH BY THE DEPARTMENT OF NATURAL RESOURCES DIVISION OF GEOLOGY AND LAND SURVEY AND THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS EFFECTIVE DATE: NOVEMBER 31, 1994

THIS SURVEYOR'S REAL PROPERTY REPORT HAS BEEN PERFORMED BY THE LAND SURVEYOR OR BY FIELD PERSONNEL UNDER HIS IMMEDIATE SUPERVISION. THIS DRAWING IS A CORRECT REPRESENTATION OF THE CONDITIONS THAT WERE FOUND AT THE TIME OF THE REPORT. THIS DOCUMENT DOES NOT CONSTITUTE A BOUNDARY SURVEY AND IS SUBJECT TO ANY INACCURACIES A SUBSEQUENT BOUNDARY SURVEY MAY DISCLOSE. NO PROPERTY CORNERS / MARKERS WERE SET AND THE INFORMATION SHOWN ON THIS DRAWING SHALL NOT BE USED TO ESTABLISH ANY FENCE, STRUCTURE OR OTHER IMPROVEMENTS. THE LINEAR AND ANGULAR VALUES SHOWN ARE BASED ON RECORDED INFORMATION AND HAVE NOT BEEN VERIFIED. THIS FIRM IS NOT EXTENDING A WARRANTY TO THE PRESENT OR FUTURE OWNERS OR OCCUPANTS.