



I.V.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: August 4, 2011

From: Aimee Nassif, AICP
Planning and Development Services Director

Location: 14329 Gatwick Court

Applicant: James Greenwood

Description: **B.A. 03-2011 14329 Gatwick Court (Cecilia Pearce):** A request for a variance from City of Chesterfield Ordinance Number 2101 to permit a residential lot in the Paddington Hill Subdivision to maintain a two hundred and forty three (243) foot yard setback in lieu of the required two hundred fifty (250) foot yard setback. (16R311230)

PROPOSAL SUMMARY

James Greenwood, on behalf of Cecilia Pearce, is requesting a 243 foot structure setback in lieu of the 250 foot structure setback requirement established in the site specific ordinance for the Paddington Hill subdivision.

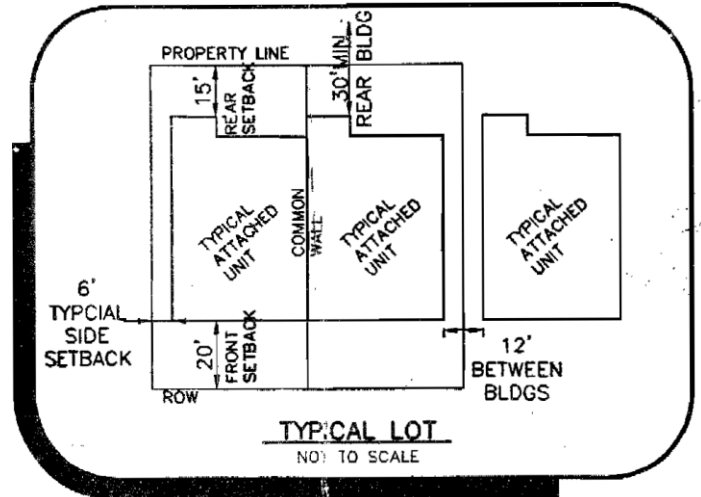
An application submitted by James Greenwood is attached hereto which includes an explanation of the above referenced request, statement of unnecessary hardship and description of the effect or impact on neighboring properties. Also attached for your reference is a copy of the Municipal Zoning Application which was rejected by the Department on May 9, 2011.

Section **2-216 of the City of Chesterfield Municipal Code** states that the Board of Adjustment shall have the following powers:

“To permit a variation in the yard requirements of any zoning district or the building or setback lines from major highways as provided by law where there are practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of

The individual lot structure setbacks for this development as required per the site specific ordinance, Ordinance Number 2101, are as follows:

1. Minimum front yard setback is 20 feet.
2. Minimum rear yard setback is 15 feet, with a minimum between structures of 30 feet.
3. Minimum side yard setback is 6 feet with a minimum between structures of 12 feet.



****The Applicant is seeking a variance to the 250 foot development structure requirement in order to construct a new deck. The deck will meet the 15 foot rear yard setback requirement for all lots within Paddington Hill.***

In November 2010 four (4) petitions were heard for variances to the existing rear yard lot setbacks for the following addresses in Paddington Hill Subdivision: 617 Paddington Hill, 613 Paddington Hill, 14345 Gatwick Court and 14349 Gatwick Court. However, these lots were not seeking the same type of variance that Ms. Pearce is. Those lots were seeking relief from the 15 foot rear yard setback required for each lot in Paddington Hill; Ms. Pearce adheres to this setback, but not the additional 250 foot structure setback that was placed on a select number of lots.

These lots that previously were before this Board are depicted for you below



EXISTING CONDITIONS

Paddington Hill Subdivision was originally platted in 2005 and then amended in 2007. Ms. Pearce's home on Lot 11 was built in 2010. As you can see from the photo below, the rear yard of the subject site abuts to common ground.



View of the Front of 14329 Gatwick Court



View of the rear yard for 14329 Gatwick Court



View of the rear elevation for 14329 Gatwick Court



View of neighboring properties from the subject site



BOARD OF ADJUSTMENT POWERS AND RESPONSIBILITIES

In making your decision to grant 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”.

Chapter 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 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

In May 2011 Ms. Pearce submitted a Municipal Zoning Application (or MZA) to the Department for construction of a new deck at the rear of the structure. The proposed deck is 14 x 14 square feet in size with access from the main level of the residence. The deck was shown to encroach into the 250 foot structure setback and was therefore rejected. The applicant is seeking a seven (7) foot variance to allow them to maintain a 243 foot setback.

The Applicant has stated that practical difficulties exist because the 250 foot structure setback makes the majority of the rear yard unusable. In addition, this lot, Lot 11, is affected by this additional 250 foot setback more than any other lot in the Paddington Hill Subdivision. ***Please refer to the attached application for full statement from the Applicant and letters of support from adjacent property owners and subdivision trustees.***

DEPARTMENT REVIEW AND RECOMMENDATION

Upon review of this Application, Staff does not object to the approval of the variance request. First, Ms. Pearce will still be adhering to the individual lot rear yard setback requirement that all other lots in Paddington Hill must meet, which is fifteen (15) feet. This rear yard setback is required in the site specific ordinance and is established in City Code.

The 250 foot structure setback for the lots which abut the common ground of this development are above and beyond that required by the City Code. The origin of this setback requirement is a bit unclear. During the zoning of this development, the site specific ordinance was written which established all the development conditions for this site. At this time, the original homebuilder proposed a 250 foot structure setback for the development which we believe was to ensure that no structures would be built in the common ground. Unfortunately, for a few homeowners including Ms. Pearce, this additional setback proposed by the original developer falls within several of the individual residential lots. ***If this variance were to be approved, the spirit of the site specific ordinance would still be met because the proposed deck would not be constructed in the common ground.***

The other question which Staff reviews and the Board must consider when granting a variance is whether or not the granting of the variance will have a detrimental effect to the public, health, safety, or welfare of the general public. This property abuts to a large tract of common ground in the rear of the lot and the subdivision trustees and adjacent property owners have submitted letters of support for this variance request. In addition, the other residential lots along Gatwick Court which abut common ground have all constructed or have under construction similar decks. ***If this variance request were to be approved, it would not cause a detrimental effect to the health, safety or general welfare of the public.***

Attached please find a copy of the Application along with all supporting documentation provided by the Applicant.

Staff has reviewed the request for B.A. 03-2011 and recommends approval of the request as submitted.

Respectfully submitted,

Aimee E Nassif, AICP
Planning and Development Services Director

Exhibits

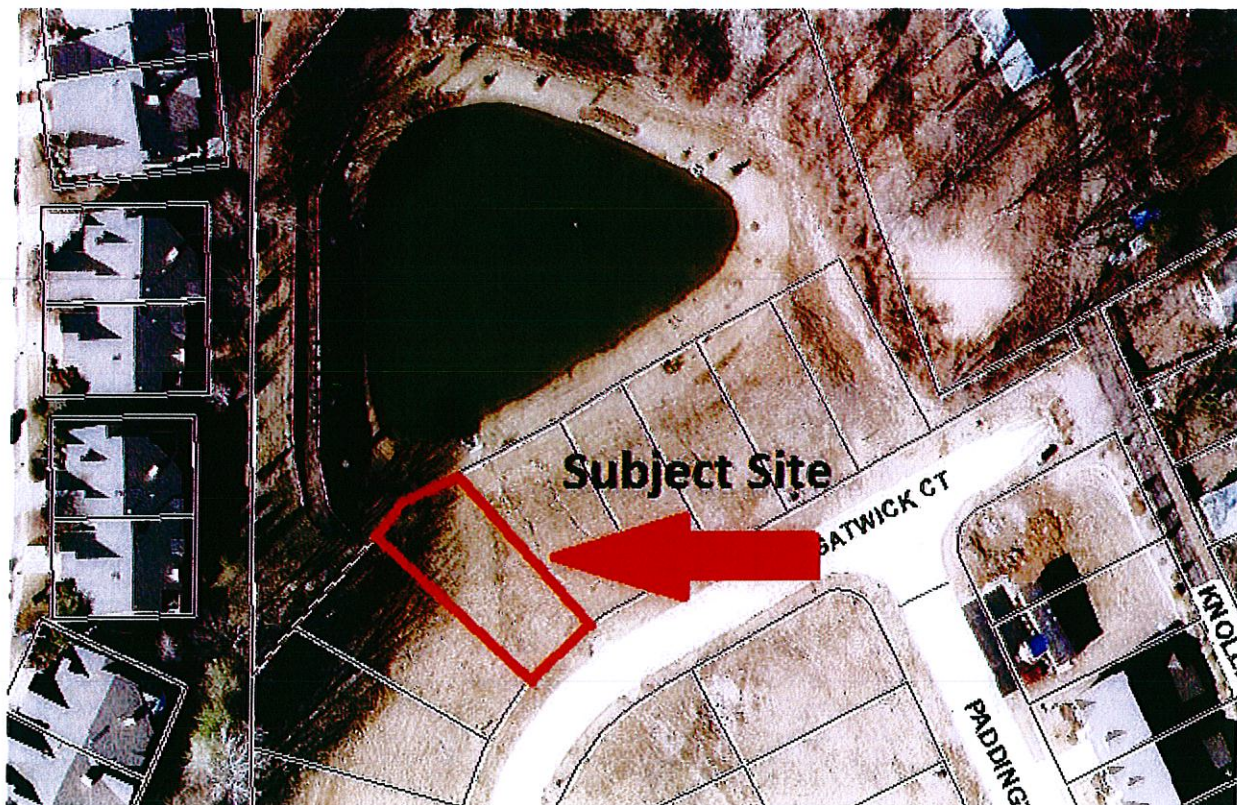
1. City of Chesterfield Zoning Ordinance (not in packet)
2. Notice of Publication
3. Affidavit of Publication (not in packet)
4. Staff Report
5. Petitioner's Application
 - a. Application to Board of Adjustment
 - b. Rejected Application
 - c. Photos of site from Applicants
 - d. Letters of support from neighbors and subdivision trustees
6. City of Chesterfield Ordinance Number 2101, Section V.A.1 a

**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 4, 2011 at 7:00 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. 03-2011 14329 Gatwick Court (Cecilia Pearce): A request for a variance from City of Chesterfield Ordinance Number 2101 to permit a residential lot in the Paddington Hill Subdivision to maintain a two hundred and forty three (243) foot yard setback in lieu of the required two hundred fifty (250) foot yard setback. (16R311230)



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

tabbies



City of Chesterfield

RECEIVED
JUL 13 2011
DEPT. OF PLANNING & PUBLIC WORKS

DEPARTMENT OF PLANNING AND PUBLIC WORKS

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 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 and Public Works at 636-537-4746. For information about this and other projects under review by the Department of Planning and Public Works, please visit "Planning Projects" at www.Chesterfield.mo.us.

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

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

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

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

Appeal of Administrative Determination

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

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: Cecilia S. Pearce

Address: 14329 Gatwick Ct.

City: Chesterfield State: MO Zip: 63017

Tel.: (312) 550-3794 Fax: (314) 469-9941 (call first)

Petitioner, if other than owner(s): James S. Greenwood

Address: 13478 Ladue Farm Rd.

City: Chesterfield State: MO Zip: 63141

Tel.: (314) 323-7723 Fax: 314-469-9941 (call first)

Legal Interest: family

(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: 14329 Gatwick Ct. Chesterfield, MO 63017

Locator Number(s): _____

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

Acreage: _____ (To the nearest tenth of an acre)

Subdivision Name (If applicable): Paddington Hill

Current Zoning District: _____

Legal Description of Property: Lot 11, Paddington Hill, a tract of land in U.S. survey 206, township 46 north, range 4 east, City of Chesterfield, St. Louis County, Missouri

(Attach additional sheets as necessary)

III. NATURE OF REQUEST FOR VARIANCE

Unique physical characteristics of the lot (e.g., size, slope, etc.): Lot slopes down to provide a GENEROUS floodplain for a pond just behind this unit. The 250' structure setback makes a MAJORITY of the backyard unusable.

(Attach additional sheets as necessary)

Description of the necessity of the proposed improvement: The proposed deck not only provides the only practical access to the back yard, but also gives occupants an excellent FIRE ESCAPE.

(Attach additional sheets as necessary)

Ordinance Number and section to which a variance is sought: P.Z. 32 & 33 -2003 Greater Missouri Builders 2101 V A 1. a (250 feet from the northern-most boundary of the Planned Environment Unit)

(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 X No

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

A review of the Amended Plat of Paddington Hill reveals that our lot (lot # 11) is more "penalized" by the 250-foot structure setback than any other lot in the subdivision. Recently, four variances have been approved for our subdivision, covering similar circumstances. That setback (250 feet) had apparently been requested by the original developer of the area, Greater Missouri Builders, to serve as a floodplain when the pond had been planned to be much larger.

Each of the units that back up to the pond in this subdivision has been designed, and built, for a deck to be built on the upper level. Sliding glass doors are already installed, with egress blocked, of course until decks are completed.

We respectfully request that the 250-foot structure setback be reduced to 243 feet, to allow construction of a 14x14 foot deck.

The proposed deck provides:

- 1.) a practical path to the back yard
- 2.) an excellent additional FIRE ESCAPE

(Attach additional sheets as necessary)

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

Description of the effect or impact on neighboring properties:

Each neighboring property is planning a similar deck (but is not so limited by the 250-foot setback).

(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:	243 feet	250 feet
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

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
 - _____

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 JAMES S. GREENWOOD (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)

X CECILIA S. PEARCE
(Name- type, stamp or print clearly)

[Signature]
(Signature)

14329 GATWICK CT. CHESTERFIELD, MO
(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 11th day of July 20 11.

Signed [Signature]
Notary Public

Print Name: Kristina L Holloran

Seal/Stamp:

My Commission Expires: 9/11/12



**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]



OFFICE USE ONLY

MZA: 111526

Locator: 10R 311230

Subdivision: LOT 11 W/ R3

Radnor Hill

LAHDIH
56

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 and Public Works.

Project Address: 14329 GATWICK^{CT.}, CHESTERFIELD, MO Zip: 63017

Property Owner Name(s): CECILIA S. PEARCE
Property Owner Address (if different than above): _____
City: CHESTERFIELD State: MO Zip: 63017

Tenant Name (if different than above): _____
 Existing Tenant Proposed Tenant

Applicant Name: JAMES S. GREENWOOD Attn: _____
Applicant Address: 13478 LADUE FARM RD.
City: ST LOUIS State: MO Zip: 63141
Phone Number: (314) 323-7723 Fax: (314) 469-9941
E-mail: JIMGREENWOOD@sbcglobal.net

Description of Work: ADD AN ATTACHED UPPER LEVEL DECK TO NORTHERN CORNER OF CONDOMINIUM

MAY - 3 2011
DEPT. OF PLANNING
& PUBLIC WORKS

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: _____

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: 5/2/11
APPLICANT SIGNATURE: [Signature] DATE: 5-2-11
(If other than Property Owner)

0284-MZA-111526



Rejected

MZA_111526

Date: 5/9/2011

Property Address	Subdivision	Lot
14329 GATWICK CT	284 PADDINGTON HILL	11

Locator #	Ward	Date Received	Flood Plain
16R311230	1	5 /3 /2011	NO

Zoning Class	Type
R3	Porch/Patio/Deck

Property Owner	Tenant
Cecelia Pearce	Deck

Applicant
Greenwood Works

Comments
5/3/2011 - Incomplete - Kkelley - New Deck. The Plot Plans are missing the deck dimensions. Sent an email to Jim @ 10:27 am. A copy of the Trustee email included with the application.
Assigned to Kristian when complete.
5/5/2011 - Complete - Kkelley - the applicant indicated that the deck dimensions will be 14' x 14'.
5/9/2011 - Rejected - Kcorbin - Proposed deck encroaches into a setback.
5/9/2011 - Rejected - BNiesen -

Status	Rejected	5 /9 /2011	<i>Kristian Corbin, Project Planner</i> by Benjamin Niesen, Civil Engineer
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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 and Public Works at (636) 537-4746.

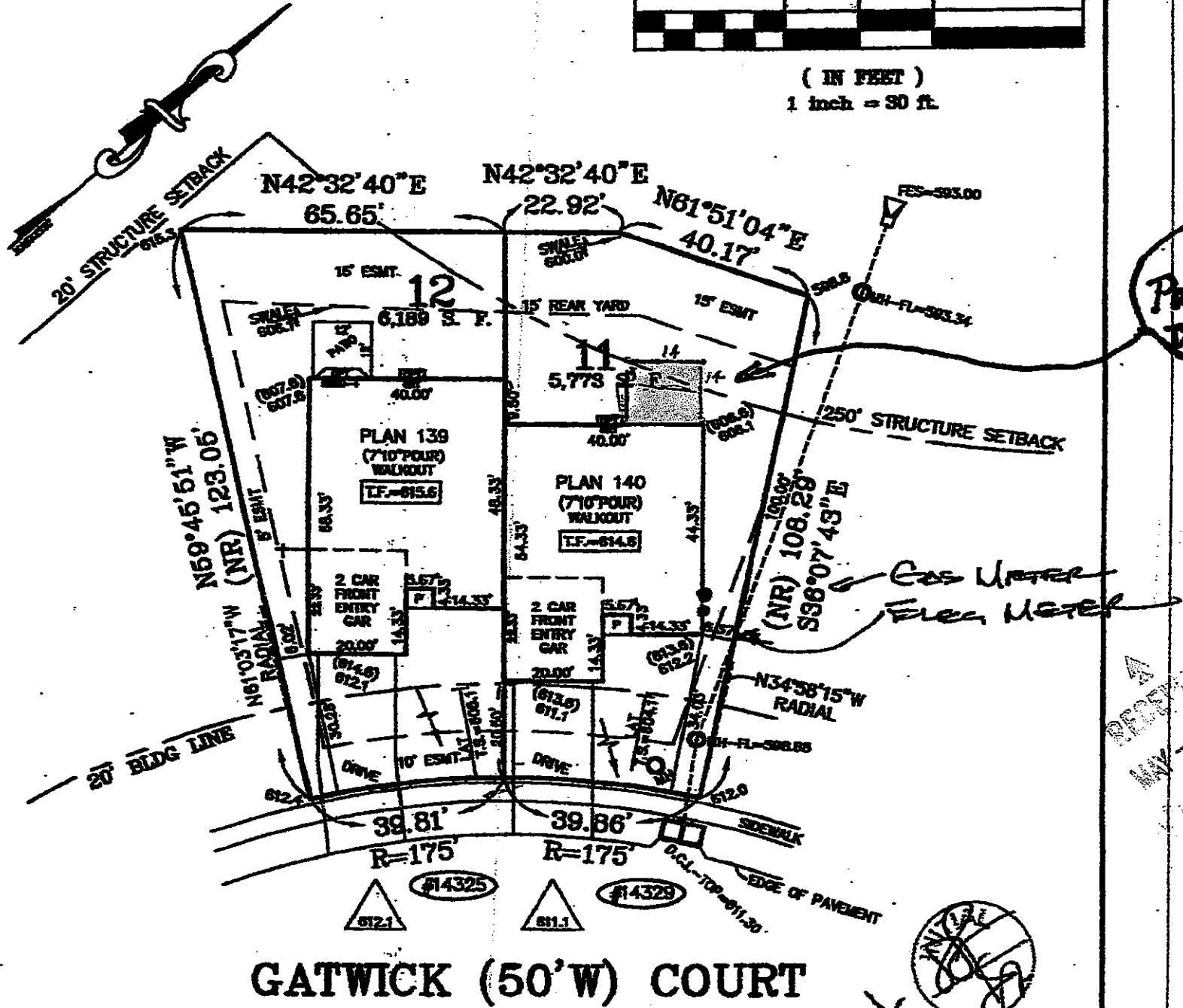
AMENDED PLAT OF
PADDINGTON HILL
 TRACT OF LAND IN U.S. SURVEY 206,
 TOWNSHIP 46 NORTH, RANGE 4 EAST,
 CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI
 (P.B. 355, PG. 439)

NOTE: All easements shown per Record Plat.
 No title binder was provided at time of drawing.

GRAPHIC SCALE



(IN FEET)
 1 inch = 30 ft.



PROPOSED DECK

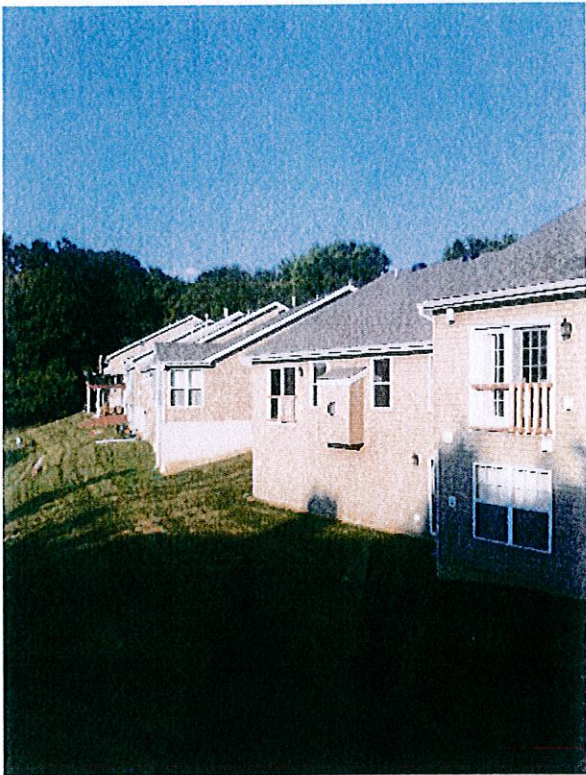
APPROVED
 MAY - 3 2011

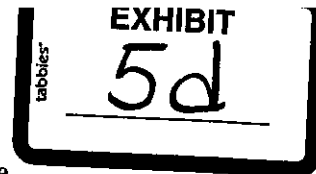
Plot Plan Prepared by
 THE SURVEYING COMPANY (314) 487-0440

- Notes:
1. Finished grades at the building to be a minimum of 6 inches below top of foundation for wood frame and 4 inches below for wood frame with brick veneer.
 2. All wood framing members that rest on top of the foundation located less than 8 inches above the exposed ground and all other wood less than 8 inches from the ground shall be pressure treated in accordance with Section 2210.1.
 3. Grads shall be noted to slope away from foundation a minimum of a 6 inch drop within the first 10 feet or to a grade. (except in the City of O'Fallon a minimum 2% drainage slope)
 4. Foundation footings shall be constructed so as to maintain a 6" depth of earth cover or as required by local building codes.
 5. This plot plan conforms to "2005 ST. LOUIS COUNTY CODE".
 6. Elevation Example: 714.0-Existing Elevation, (714.0)-Proposed Elevation.

THIS IS NOT A SURVEY AND DOES NOT MEET THE "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEY" (10 CSR 20-2 AND 20 CSR 200-18 EFFECTIVE DATE AUGUST 29, 2005).

P.P. FDN. FNL			
DRAWN	S.S.		
CHECKED			





Name of Lot Owner which is Adjacent to the Lot requesting the Variance
Address of Lot Owner which is Adjacent to the Lot requesting the Variance

July 12, 2011
~~October~~, 2010

Board of Adjustment
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017

Re: *Paddington Hill Subdivision, request for Variance of Rear Yard Setback for Lot No. ___*

To Whom it May Concern:

Cecilia Pearce

[Insert name of entity/person making variance request] informed me of its (their) request for a variance on Lot 11 of Paddington Hill Subdivision. [Insert name of entity/person *Cecilia Pearce* making variance request] is seeking to reduce the existing rear-yard setback from fifteen feet (15') to _____ feet in order to accommodate the construction of a deck on the Lot. I have no objection to this variance request and support [Insert name of entity/person *Cecilia Pearce* making variance request] in their/its request to modify the rear-yard setback to accommodate the construction of a deck.

Sincerely,

Carol McMillan (Lot 10)

**Name of Lot Owner which is Adjacent to the Lot
requesting the Variance**

Name of Lot Owner which is Adjacent to the Lot requesting the Variance
Address of Lot Owner which is Adjacent to the Lot requesting the Variance

~~October~~, 2010

Board of Adjustment
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017

Re: *Paddington Hill Subdivision, request for Variance of Rear Yard Setback for Lot No. ___*

To Whom it May Concern:

U.S. Perone

[Insert name of entity/person making variance request] informed me of its (their) request for a variance on Lot 11 of Paddington Hill Subdivision. [Insert name of entity/person *U.S. Perone* making variance request] is seeking to reduce the existing rear-yard setback from fifteen feet (15') to _____ feet in order to accommodate the construction of a deck on the Lot. I have no objection to this variance request and support [Insert name of entity/person making variance request] in their/its request to modify the rear-yard setback to accommodate the construction of a deck.

Sincerely,

Ron Bundy (lot 12)

**Name of Lot Owner which is Adjacent to the Lot
requesting the Variance**

Community Managers Associates, Inc.
14323 S. Outer Forty Drive, Ste. 301 N.
Chesterfield, MO 63017
Phone: 314-878-0025

CMA

DATE: July 13, 2011

TO: Cecilia Pearce
14329 Gatwick Court
Chesterfield MO 63017

FROM: Linda Shelby
Managing Agent, Paddington Hill Homeowners
314-878-0024 ext 115
314-878-2773 Fax
Shelby@cmamgrs.com

RE: Architectural Control Request
14329 Gatwick Court

The Board of Directors of Paddington Hill Homeowners has reviewed your request and the following is the result of their collective decision.

Deck - APPROVED

Comments:

Deck has been approved per the scope of work provided. Please note that all zoning approvals and permits must be obtained.

V. SPECIFIC CRITERIA

A. The Site Development Plan will illustrate adherence to the following site specific design criteria:

1. Structure Setbacks

No building or structure, other than a freestanding project identification sign, boundary and retaining walls, light standards, flag poles or fences will be located within the following setbacks:

- a. Two-hundred-fifty (250) feet from the northern-most boundary of the Planned Environment Unit.
- b. Forty (40) feet from the southern boundary of the Planned Environment Unit.
- c. Twenty (20) feet from the eastern boundary of the Planned Environment Unit.
- d. Twenty (20) feet from the western boundary of the Planned Environment Unit.
- e. Individual lots shall meet the following requirements:
 - (i) Minimum front yard setback shall be twenty-feet (20').
 - (ii) Minimum rear yard setback shall be fifteen-feet (15'). Maintain thirty feet (30') between buildings.
 - (iii) Minimum side-yard setback shall be six-feet (6'). Maintain twelve feet (12') between buildings.

2. Parking and Loading Space Setbacks

No parking stall, loading space, internal driveway, or roadway, except points of ingress and egress, will be located within the following setbacks:

- a. Two-hundred-fifty (250) feet from the northern boundary of the Planned Environment Unit.
- b. Forty (40) feet from the southern boundary of the Planned Environment Unit.