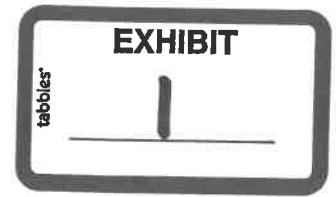


**NOTICE OF PUBLIC HEARING
CITY OF CHESTERFIELD
BOARD OF ADJUSTMENT**



NOTICE IS HEREBY GIVEN that the Board of Adjustment of the City of Chesterfield will hold a Public Hearing on Thursday, October 5, 2023 at 6:00 pm in the Council Chambers at Chesterfield City Hall, 690 Chesterfield Parkway West, Chesterfield, MO 63017

The Board will consider the following:

B.A. 02-2023 14429 Rue De Gascony A request for a variance from the fifteen (15) foot building setback and the ten (10) foot landscape buffer to build a rear deck.



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 am to 4:30 pm. If you should need additional information about this project, please contact Petree Powell, Assistant City Planner by telephone at 636-537-4736 or email at ppowell@chesterfield.mo.us

City of Chesterfield
Petree Powell
Assistant City Planner



IV.A.



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

Board of Adjustment Staff Report

Variance Type: Area Variance

Meeting Date: October 5, 2023

From: Petree Powell, Assistant City Planner

Location: 14429 Rue De Gascony Court

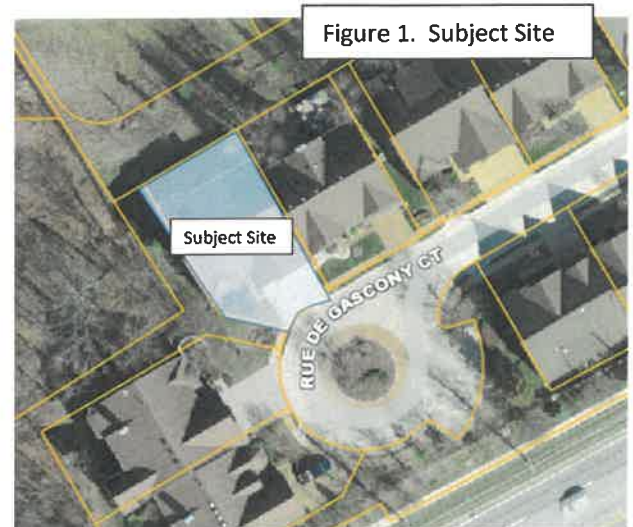
Applicant: Mr. Richard Chole

Description: **B.A. 02-2034 14429 Reu De Gascony Court):** A request for a variance from the fifteen (15) foot rear setback, fifteen (15) foot utility access easement and a ten (10) foot landscape buffer to build a rear deck.

PROPOSAL SUMMARY

Mr. Richard Chole, Applicant, is requesting a variance from the fifteen (15) foot rear building set back, and the ten (10) foot landscape buffer from the rear yard property line required under Ordinance 2091 to build a rear deck. The applicant is requesting a zero (0) foot rear yard setback and zero (0) foot landscape buffer to accommodate a new rear deck.

Due to the slope of the land and height of the main floor from the ground there is no possible way to exit the rear doorway without steps or a deck and still comply with the building setback. The applicant seeks to build a deck off the rear entrance to provide safer egress from the main level of the house. The proposed deck would extend fifteen (15) feet from the rear of the house to the property line projecting into the rear setback, and the landscape buffer. Due to the slope and height of the rear doorway from the grade, the applicant contends that there is an unnecessary hardship and practical difficulty necessitating a variance.



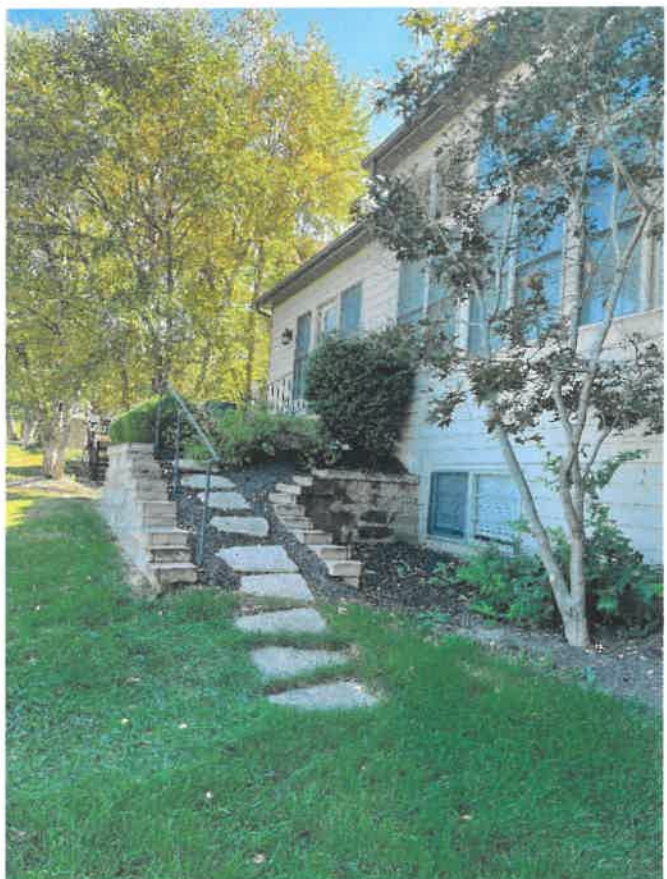
BACKGROUND FACTS

The address is a duplex in the Gascony subdivision off Clayton Road and is governed by Ordinance 2091. The aforementioned property is Lot 3. The rear building setback is fifteen (15) feet, and the landscape buffer is ten (10) feet from the rear property line. The building sits exactly 15 feet from the property line leaving zero (0) feet for any structure to provide egress from the rear entrance.

Currently the structure has a three-step staircase from the rear door to a hard-surfaced patio with two retaining walls to support the structures. No MZAs or building permits were ever issued for those improvements.¹ The stairs encroach on the rear setback by three and one-half (3.5) feet. The patio extends eight (8) feet from the building into the landscape buffer by three (3) feet². The grade level is approximately five+ (5) feet below the rear door threshold. The land slopes significantly away from the rear of the building necessitating stairs or a deck like structure.

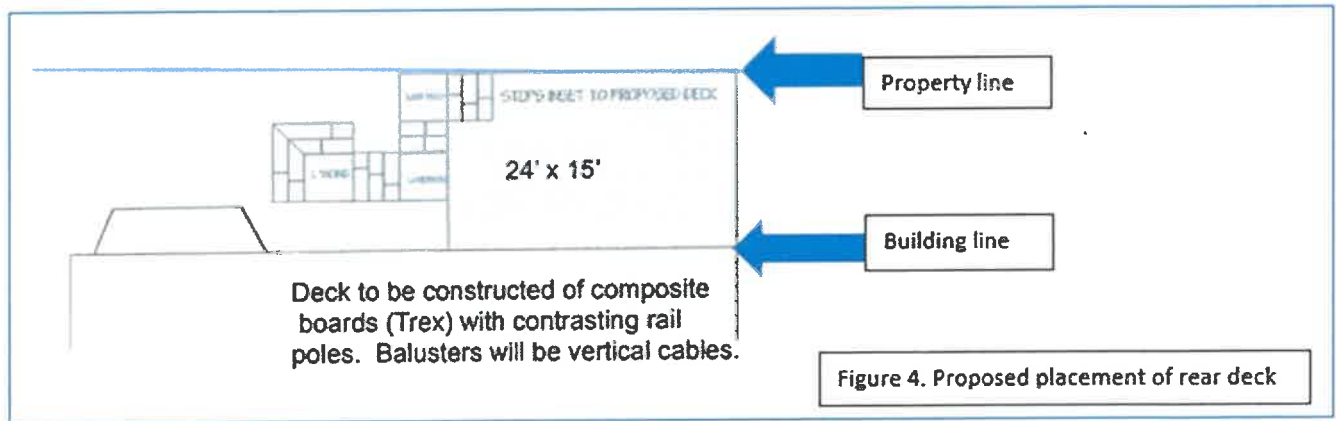
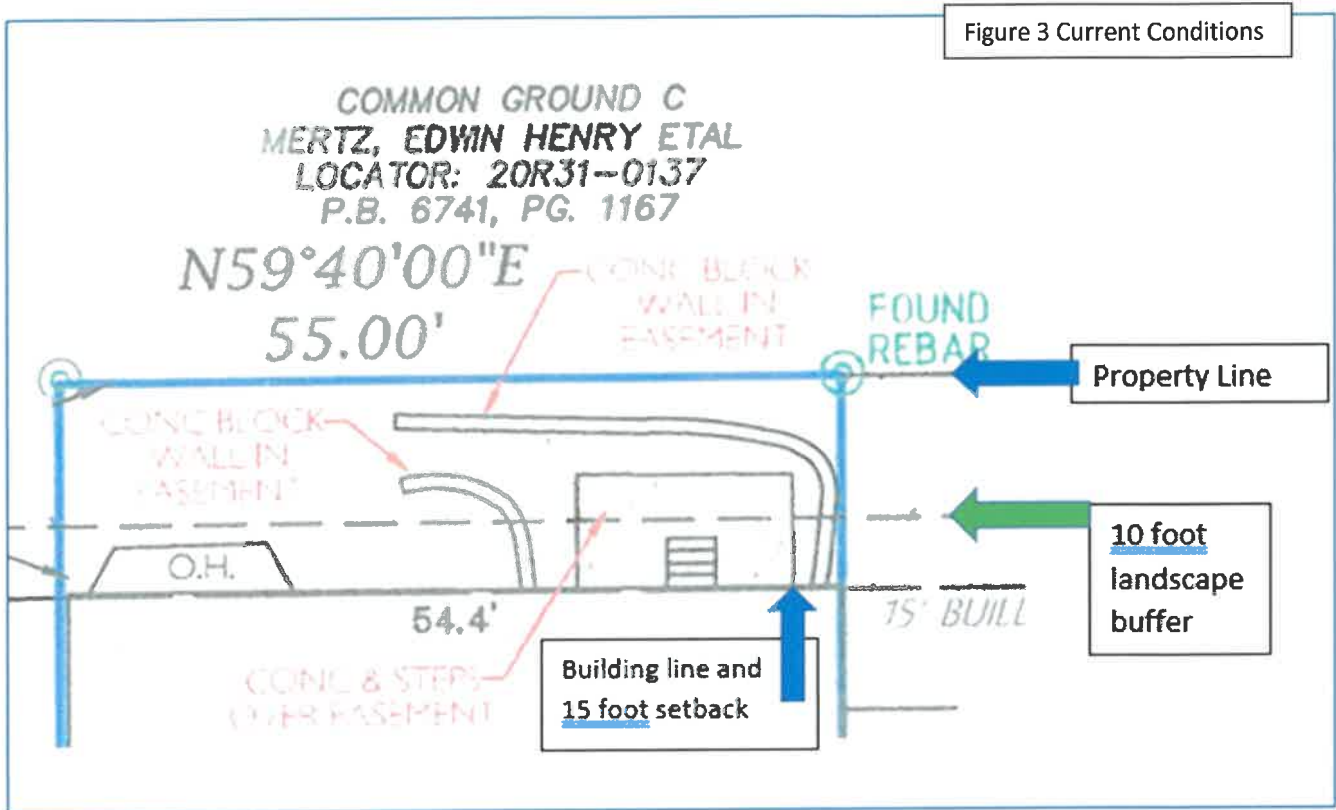
The current stairs are quite steep and pose a safety hazard to the elderly owner and their guests. The builders of the duplexes did not provide any footage allowance for egress from the elevated rear entrances and thus, any structure, whether it be a deck or stairs to a patio, will project into the fifteen (15) foot building setback. The Applicant seeks to build a deck at the same level as the rear entrance and provide new stairs down to the ground surface. The proposed deck would extend from the rear of the building to the property line at 15 feet. This would also project into the ten (10) foot landscape buffer.

Figure 2. Current Conditions



¹ The improvements were present when the Applicant purchased the home. No MZAs or building permits were ever issued to any of the duplexes along the north side of Rue de Gascony for rear yard structures. All but one have patios, retaining walls and/decks that encroach in the rear setback and landscape buffer.

² A patio is considered flat work and does not ordinarily encroach on a building setback. However, a patio will encroach on a landscape buffer as it is a hard surface. Here the patio is raised on top of ground supported by retaining walls. Retaining walls under eight (8) feet are not encroachments into a building setback.



It should be noted that beyond the fifteen (15) foot rear property line is open space as part of the Schoettler Grove subdivision. Thus, the impact of a rear deck that extends to the property line will be minimal. The Trustees of the Gascony HOA have approved of the project and the adjacent neighbors to the west and east of the property have also approved of the project. Approvals are contained with the Application packet. Notice of the Public Hearing was sent to addresses within 225 feet of the subject property and to Subdivision Trustees within one mile of the property. Public Hearing signs were placed in the front and rear yards as well.

SITE HISTORY

The subject site is zoned PEU Planned Environment Unit within a R-3 Residential District for fourteen (14) single family attached units. The subject site was built in 2006. The property sits to the south of Schoettler Grove Court subdivision. The common property behind the subject property is part of that Planned Unit Development.

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. 2003).

Also in determining whether a practical difficulty or unnecessary hardship has been established, the fact that “a structure permitted in the area cannot be built because of the zoning restrictions does not alone establish that a variance must be granted.” McMorrow v. Board of Adjustment for City of Town & Country, 765 S.W.2d 700 (Mo.App, 1989). Width of the lot has also been rejected as a topographical feature via State ex rel. Branum v. Board of Zoning Adjustment of City of Kansas City, Mo., 85 S.W.3d 35 (Mo.App, 2002). Thus, the court denied a variance for the construction of a garage that exceeded setback requirements and rear lot coverage limitations.

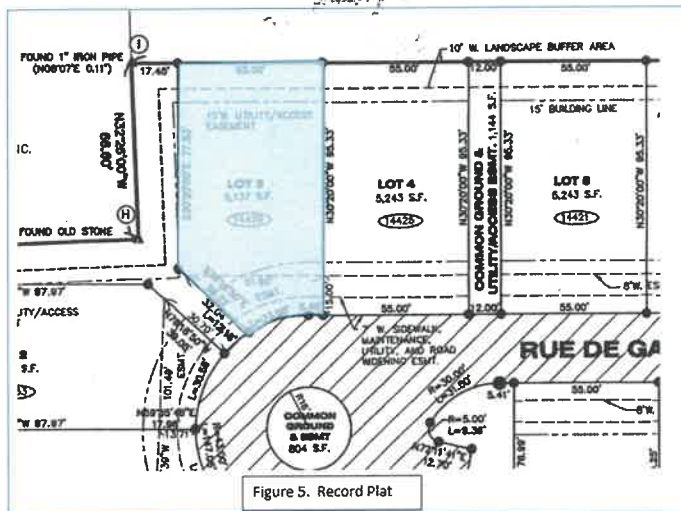
APPLICANT REQUEST

The Applicant has provided a statement of hardship, practical difficulty, or other information warranting action by the Board for consideration. The Applicant has submitted position letters indicating support from two of adjoining property owners and subdivision Trustees. The property adjacent to the rear of the subject property is common ground of the Schoettler Grove subdivision.

The Applicant is requesting a variance to maintain a zero (0)-foot rear yard setback in lieu of the 15-foot rear yard setback and landscape buffer requirements in order to accommodate the construction of a deck in order to provide safe egress from the rear entrance door that sits approximately five (5) feet above grade.

REVIEW OF VARIANCE REQUEST

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



As established in the Record Plat of the Gascony subdivision, a minimum 15 foot rear yard setback and ten (10) foot landscape buffer is located on Lot 3. The burden of hardship is on the Applicant to demonstrate why the application meets the standards for variance and the Board must only act to carry out the spirit of the ordinance, and may not grant a variance without competent and substantial evidence.

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

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

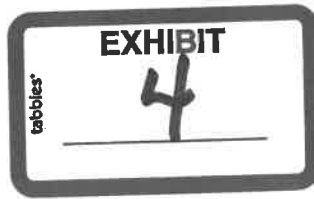
1. How substantial the variation is in relationship to the requirement? The requested variance would permit a rear deck 15 feet into a 15 foot required yard setback.
2. The effect, if the variance is allowed, on available governmental facilities. No impact to governmental facilities is anticipated.
3. Whether a substantial change will be produced in the character of the neighborhood or substantial detriment to adjoining properties or neighbors. Letters indicating support from the adjoining property owners have been provided, no opposition letters have been provided. Since nearly all the adjoining neighbors have patios, retaining walls and/or decks, there would be no substantial change in the character of the neighborhood.
4. Whether the difficulty can be obviated by some feasible method other than the variance. Review of the plot plan by Staff indicates that a variance is necessary to allow egress from the rear door due to the height of the rear door threshold from the grade below.
5. Whether the interest of justice will be served by allowing the variance. The Applicant has provided a statement of hardship/practical difficulty for the Board’s consideration.

A decision of the Board granting a variance that permits the erection of a deck shall be valid for a period of six (6) months, unless a building permit for such erection is obtained within this period and the erection is started and proceeds to completion in accordance with the terms of the decision.

Exhibits

1. Notice of Public Hearing
2. Affidavit of Publication
3. Staff Report
4. Ordinance 2091 and Attachment A
5. Petitioner's Application

BILL NO. 2263



ORDINANCE NO. 2091

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CREATING A PLANNED ENVIRONMENT UNIT PROCEDURE WITHIN AN "R-3" RESIDENCE DISTRICT FOR A 3.7 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF CLAYTON ROAD, WEST OF THE INTERSECTION OF SCHOETTLER ROAD AND CLAYTON ROAD (P.Z. 14-2003 FISCHER & FRICHTEL)

WHEREAS, the petitioner, Fischer and Frichtel, requested a Planned Environment Unit Procedure in an "R-3" Residence District for a 3.7 acre tract of land located on north side of Clayton Road, west of the intersection of Schoettler Road and Clayton Road, and;

WHEREAS, the Planning Commission held a public hearing on August 25, 2003 to consider the matter, and;

WHEREAS, P.Z. 14-2003 Fischer and Frichtel was considered by the Planning Commission of the City of Chesterfield and recommended for approval by a vote of 6-3.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Section 1. The City of Chesterfield Zoning Ordinance and the Official Zoning District Maps, which are a part thereof, are hereby amended by establishing a Planned Environment Unit (PEU) Procedure (PEU) in an "R-3" Residence District for a . 3.7 acre tract of land located on north side of Clayton Road, west of the intersection of Schoettler Road and Clayton Road as described in "Exhibit A."

Section 2. The preliminary approval, pursuant to the City of Chesterfield Zoning Ordinance is granted, subject to all of the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendations to the City Council, which are set out in Attachment A, which is attached hereto and made a part hereof.

Section 3. The City Council, pursuant to the petition filed by Fischer and Frichtel in P.Z. 14-2003 requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearing, held by the Planning Commission on the 25th day of August 2003, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

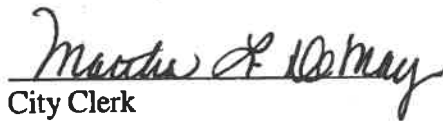
Section 4. This ordinance and the requirements thereof are exempt from the warnings and summons for violations as set out in Section 1003.410 of the Zoning Ordinance of the City of Chesterfield.

Section 5. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 3rd day of May, 2004


Mayor

ATTEST:


City Clerk

ATTACHMENT A

In keeping with the following Comprehensive Plan policies, these conditions have been developed:

- 2.1 Quality Residential Development
- 2.1.5 Provide Buffer for Existing Residential Development
- 7.2.1 Maintain Proper Level of Service
- 7.2.2 Arterial Medians
- 7.2.3 Maintain Proper Traffic Flow
- 7.2.4 Encourage Sidewalks
- 7.2.9 Access Management
- 8.2 Public Utilities
- 8.2.2 Underground Electric Service

I. PERMITTED USES

A. The uses allowed this "PEU" Planned Environment Unit shall be as follows:

1. Single family attached residential units

B. The above use in the "PEU" Planned Environment Unit shall be restricted as follows:

1. There shall be no more than 14 units.

II. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS

A. The following requirements will apply to the permitted uses:

1. HEIGHT

- a. The maximum height a residential unit in this development shall not exceed two stories or thirty-five (35) feet, whichever is less..

III. 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 issuance of any building permit, the developer will submit to the City of Chesterfield for their review and approval a Site Development Plan. Where due cause is shown by the developer, this time interval may be extended through appeal to and approval by the Planning Commission in accord with the City of Chesterfield Zoning Ordinance.

Failure to comply with aforementioned time limits or receipt of an extension prior to the aforementioned time requirements will result in the expiration of the preliminary plan for any portion developed and will require a new public hearing.

IV. GENERAL CRITERIA-SITE DEVELOPMENT

The Site Development Plan shall include the following:

1. Outboundary plat and legal description of the property.
 2. Location and size, including height above sea level, of all buildings, parking and loading areas, light standards, fencing, free-standing signs, trash enclosures, and all other above-ground structures and landscaping
 3. Location map, north arrow, and plan scale.
 4. Parking calculations.
 5. Architectural elevations (with design statement) and materials of the proposed office building and parking structure.
 6. Specific structure and parking setbacks along all roadways and property lines.
 7. The size and approximate location of the proposed internal and adjacent roadway, major utility easements, necessary right-of-way dedications, road improvements, and curb cuts.
 8. Existing and proposed contours at intervals of not more than two (2) feet, and extending 150 feet beyond the limits of the site.
 9. Existing improvements within 150 feet of the site as directed. Road and driveways on the opposite side of roadways adjacent to the site, and the
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location of significant natural features, such as wooded areas and rock formations, that are to remain or be removed will be included.

10. All existing and proposed easements/rights-of-way on site and all existing or proposed off-site easements and rights-of-way required for utilities, storm water drainage, grading, or other improvements.
 11. Prior to Site Development Section Plan approval, show all existing or proposed easements and right-of-way on site. The Site Development Section Plan and Tree Preservation Plan must be approved prior to clearing or grading.
 12. The location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to existing systems.
 13. Show existing improvements and the locations of significant natural features, such as wooded areas and rock formations that are to remain or be removed.
 14. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Ordinance.
 15. The scale to which the Site Development Section Plan will be drawn will be no greater than one (1) inch equals one hundred (100) feet.
 16. Provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, and the Missouri Department of Transportation.
 17. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
 18. Provide the greenspace percentage for the entire development. Greenspace is calculated by dividing the pervious surfaces by the site area (excluding right-of-ways).
 19. Provide a tree stand delineation.
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V. SPECIFIC CRITERIA

The Site Development Plans shall illustrate adherence to the following 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. 120 feet from the western boundary of the Planned Environment Unit
- b. 10 feet from the right of way of Clayton Road.
- c. 35 feet from the eastern boundary of the Planned Environment Unit.
- d. 15 feet from northern boundary of the Planned Environment Unit.

2. Access

- a. The single point of access onto Clayton Road shall be located at the eastern most section of the property frontage on Clayton Road as directed by the City of Chesterfield and the Missouri Department of Transportation.
- b. As directed by the City of Chesterfield, a cross access easement/agreement shall be provided for a future roadway connection from Clayton Road to the adjoining Mertz property.
- c. The streets within this development shall be private and remain private forever, excepting that portion of the entrance and any cross access area, which at a future time shall be dedicated upon demand, to the City of Chesterfield, as a public street in order to provide a public roadway connection from the adjoining Mertz property to Clayton Road. At such time in the future when the Mertz property develops and the streets within the development are to be private, then the connection from the Mertz property to Clayton Road shall remain private and be covered by a cross access easement/agreement.

- d. As directed by the City of Chesterfield, at such time in the future a connection is made from this development to the Mertz property, the entrance to Clayton Road may be restricted to right-in and right-out.

3. **Public/Private Road Improvements, Including Pedestrian Circulation**

- a. The developer shall provide any additional right-of-way for Clayton road and construct any improvements as directed by the Missouri Department of Transportation and the City of Chesterfield.

4. **Traffic Study**

Upon submittal of the Site Development Plan a traffic study may be required as directed by the City of Chesterfield and/or the Missouri Department of Transportation. The study should include internal and external circulation and should be submitted for review and approval. As long as the density of the proposed development falls within the parameters of the regional traffic study, the scope of the study may be limited to the site specific impacts such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other required improvements. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.

5. **Landscape Plan**

The developer shall submit a landscape plan in accord with the Landscape Guidelines adopted by the Planning Commission, either as part of the appropriate Site Development Plan or on a separate drawing to be reviewed as part of said plan, to comply with the following:

- a. If the estimated cost of new landscaping indicated on the Site Development Plan as required by the Planning Commission exceeds one thousand (\$1,000) dollars, as determined by a plant nursery, the petitioner shall furnish a two (2) year bond or escrow sufficient in amount to guarantee the installation of said landscaping.
- b. Prior to release of the Landscape Installation Bond/Escrow, a two (2) year Landscape Maintenance Bond/Escrow will be required.

8. Sign Requirements

- 1. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield Department of Public Works, and/or the Missouri Department of Transportation for sight distance considerations prior to installation or construction.**
- 2. All permanent freestanding signs shall have landscaping, which may include, but not be limited to, shrubs, annuals, and other materials, adjacent to the sign base or structural supports. This landscaping shall be as approved by the Planning Commission on the Site Development Plan.**
- 3. All other signs shall be permitted in accord with the regulations of Section 1003.168 of the City of Chesterfield Zoning Ordinance.**

9. Light Requirements

- a. The location of the light standards will be as approved by the Planning Commission on the Site Development Plan and will be in conformance with City of Chesterfield regulations.**
- b. Except for required street lighting, no source of illumination will be so situated that light is cast on any public right-of-way or adjoining property. Lighting will be required in compliance with City of Chesterfield regulations.**
- c. All light standards within this development will not exceed a total vertical height of twenty-four (24) feet.**

10. Architectural elevations

The developer shall submit architectural elevations and building materials. Architectural information is to be reviewed by the Planning Commission during Site Development Plan stage.

11. Power of Review

Either Councilmember of the Ward where a development is proposed, or the Mayor, may request that the site plan for a development be reviewed and approved by the entire City Council. This request must be made no later than twenty-four (24) hours before posting the agenda for the next

City Council meeting after Planning Commission review and approval.
The City Council will then take appropriate action relative to the proposal.

12. Miscellaneous

- a. Internal streets shall be constructed in accordance with Section 1005.180 of the Subdivision Ordinance of the City of Chesterfield with a minimum of one full turn around. The turn around shall conform to the City of Chesterfield standards as directed by the Department of Public Works. The turn around(s) may also be required to accommodate school buses, as directed by the City of Chesterfield Department of Public Works.
- b. Any request to install a gate on the entrance street for this development must be approved by the City of Chesterfield Department of Public Works and the Missouri Department of Transportation. Any request to install a gate on an internal street must be approved by the City of Chesterfield. No gate installation will be permitted on public right-of-way or within 60 feet of a cross access easement. In addition, a minimum stacking distance of 60 feet, and a turnaround for rejected vehicles, designed to accommodate a single unit truck, must be provided in advance of the gate as directed by the Missouri Department of Transportation and the City of Chesterfield.
- c. If a gate is installed on the entrance street for this development or on an internal street the following additional requirements shall apply:
 1. The streets within this development or that portion of the development that is gated shall be private and remain private forever. A disclosure statement shall be provided to all potential buyers in conformance with Section 1005.180 of the Chesterfield Subdivision Ordinance. Signage indicating the private street shall be provided in accordance with the above referenced section of the Chesterfield Subdivision Ordinance.
 2. The first cross street to intersect the entrance street must be located a minimum of 40 feet from the gate. The distance should be measured from the line of the gate to the edge of pavement of the proposed cross street.
- d. Maintenance of private subdivision streets, including, but not limited to, snow removal, shall be the responsibility of the developer/subdivision.
- e. All required subdivision improvements shall be completed prior to issuance of building permits exceeding 90% of the approved dwelling units.

- f. Access/Utility easements are required throughout the development. A 10 foot wide utility/access easement shall be provided at a minimum of every other break between structures, as directed by the City of Chesterfield. A continuous 15 foot wide backyard easement shall be provided for every lot. A 20 foot wide access shall be provided for all common ground areas. Should retaining walls be introduced into the development, the retaining walls shall be located within common ground or easement(s). Appropriate easements for access shall also be provided.
 - g. All utilities will be installed underground. The development of this parcel will coordinate the installation of all utilities in conjunction with the construction of any roadway on site.
 - h. Sleeves for future telecommunication services are required to be installed adjacent and/or parallel to any proposed roadway, or other location as directed by the City of Chesterfield, in order to facilitate the installation of utilities and telecommunication infrastructure for current and future users..
 - i. All structures must be set two feet vertically higher in elevation and 30 feet horizontally offset from the 100-year high water level noted within all detention/retention basins.
 - j. Emergency overflow drainage ways to accommodate the 100-year storm shall be provided for all storm sewers as directed by the City of Chesterfield, Department of Public Works.
 - k. Provide a 5' foot wide sidewalk adjacent to Clayton Road conforming to ADA standards and as directed by the City of Chesterfield and Missouri Department of Transportation. The sidewalk shall be installed along the entire frontage of the site. Any necessary easements for construction of the sidewalk shall be provided as directed by the City of Chesterfield Department of Public Works and the Missouri Department of Transportation. Maintenance of said sidewalk shall be the responsibility of the property owner
 - l. The adequacy of the existing downstream conditions shall be verified and upgraded if necessary as directed by the City of Chesterfield Department of Public Works.
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- m. The developer will be responsible for the installation of any necessary water taps so that an irrigation system may be installed at a later date. The median(s) shall be constructed with appropriate conduit for irrigation and electrical service as directed by the City of Chesterfield. The median(s) is to be backfilled with approved topsoil and temporarily seeded as directed by the City of Chesterfield Department of Public Works. The City of Chesterfield will be responsible for installation of the irrigation system, permanent landscaping and future maintenance.

VII. VERIFICATION PRIOR TO APPROVAL

- A. Prior to approval of the Site Development Plan, the developer will provide the following:
 - 1. Prior to Site Development Plan approval, provide comments/approvals from the appropriate Fire District, the Metropolitan St. Louis Sewer District, the City of Ballwin, and the Missouri Department of Transportation.
 - 2. Roadway Improvements and Curb Cuts.
 - a. Obtain approval from the City of Chesterfield Department of Public Works and the Missouri Department of Transportation for the locations of proposed curb cuts, areas of new dedication, and roadway improvements.
 - 3. Stormwater and Sanitary Sewer.
 - a. All structures must be two feet vertically higher in elevation and 30 feet horizontally offset from the 100 year high water level noted within all detention/retention basins.
 - b. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or an adequate.
 - c. Downstream sanitary sewers need to be evaluated to ensure adequate capacity. Downstream sanitary sewers may need to be replaced or upgraded.
 - d. Detention may be required for areas within the site such that the release rates will not exceed the allowable release rates for the post developed peak flow of the 2-year and 100-year, 24-hour storm event. Stormwater must be discharged at an adequate discharge point. Wetland mitigation will not be allowed within the detention basin

- e. The detention basin on the western portion of the subject site shall not be visible from Clayton Road.
4. **Geotechnical Report.**
Provide a geotechnical report prepared by a Professional Engineer licensed to practice in the State of Missouri. Said Report will verify the suitability of grading and proposed improvements with soil and geologic conditions. A statement of compliance, signed and sealed by the Geotechnical Engineer preparing the report, will be included on all Site Development Plan and Improvement Plans. This report will address the existence of any potential sinkholes, ponds, dams, septic fields, etc., and recommendation for treatment.
 5. **Grading and Improvement Plans.**
 - a. A clearing/grading permit or improvement plan approval is required prior to any grading on the site. The Site Development Plan and Tree Preservation Plan must be approved prior to issuance of clearing and grading. A floodplain development permit must be obtained prior to any work in the regulated floodplain.
 - b. Interim storm water drainage control in the form of siltation control and/or siltation basins is required throughout construction. A Storm Water Pollution Prevention Plan (SWPPP) must be submitted and approved by the Department of Public Works prior to approval of any clearing or grading. The SWPPP will address required erosion control practices specific to site conditions. Its purpose is to ensure the design, implementation, management and maintenance of Best Management Practices (BMP's) to reduce the amount of sediment and other pollutants in storm water discharges associated with land disturbance activities. The SWPPP will ensure compliance with Missouri Water Quality Standards, and the terms and conditions of the NPDES for the site.
 - c. Temporary settlement basins, as required by the City of Chesterfield Department of Public Works, will be constructed during construction to allow for settling of sediment, prior to the discharge of storm water from this site. Erosion and siltation control will be installed prior to any grading and be maintained throughout the project until acceptance of the work by the owner and/or controlling regulatory agency and adequate vegetative growth insures no future erosion of the soil.
 - d. When clearing and/or grading operations are completed or suspended for more than 30 days, all necessary precautions will be taken to retain soil materials on site. Protective measures, such as permanent seeding, periodic
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wetting or other means, may be required by the Director of Public Works/City Engineer upon demand.

- e. If cut and fill operations occur during a season not favorable for immediate establishment of permanent ground cover, a fast germinating annual such as rye grasses or sudan grasses will be utilized erosion, if adequate storm water detention and erosion control devices have not been established.
 - f. Provide adequate temporary off-street parking for construction employees and a vehicle washdown/cleaning area. Parking on non-surface areas is prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked on the pavement causing hazardous roadway and driving conditions. The contractor will keep the roads in the area clear of mud and debris related to his construction at all times. The streets surrounding this development and any street used for construction access thereto will be cleaned at the end of each day.
 - g. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual such as rye grasses or sudan grasses will be utilized to retard erosion, if adequate stormwater detention and erosion control devices have not been established.
 - h. This development may require an NPDES Permit from the Missouri Department of Natural Resources. NPDES permits are applicable to construction activities that disturb five or more acres. A copy of the NPDES permit must be submitted to the City of Chesterfield Department of Public Works prior to issuance of a grading permit or approval of improvement plans.
 - i. All fills placed under proposed storm and sanitary sewer lines and/or paved areas, including trench backfill within and off the road right-of-way, shall be compacted to 90% of maximum density as determined by the "Modified AASHTO T-180 Compaction Test" (ASTM D-1557) for the entire depth of the fill. Compacted granular backfill is required in all trench excavation within the street right-of-way and under all paved areas. All tests shall be performed under the direction of and verified by a soils engineer concurrent with grading and backfilling operations.
 - j. Soft soils in the bottom and banks of any existing or former pond sites or tributaries or any sediment basins or traps should be removed, spread out and permitted to dry sufficiently before being used as fill. None of this
-

material should be placed in proposed public right-of-way locations or in any storm sewer location.

- k. Emergency overflow drainage ways to accommodate the 100-year storm shall be provided for all storm sewers as directed by the City of Chesterfield, Department of Public Works.
- l. In addition to storm water control easements, storm water control access easements shall be required as necessary to provide for the upkeep of the area within designated storm water control easements. Separately designated access easements shall not be less than 20 feet wide.
- m. Detention/retention is to be provided in each watershed as required by the City of Chesterfield Department of Public Works and the St. Louis Metropolitan Sewer District. Detention of storm water runoff is required by providing permanent detention/retention facilities, such as dry reservoirs, ponds or other acceptable alternatives. The maximum fluctuation from the permanent pool elevation to the maximum ponding 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%) of the approved dwelling units. Detention/retention facilities shall be operational in each plat, watershed, or phase prior to issuance of 60% of the building permits in each plat, phase, or watershed. The location and types of detention/retention facilities shall be identified on the Site Development Plan. All existing drainage divides must be honored, no alteration of existing drainage divides will be allowed.

VIII. RECORDING

Within sixty (60) days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval by the Planning Commission.

X. VERIFICATION PRIOR TO IMPROVEMENT PLAN APPROVAL

Prior to improvement plan approval, the developer will provide the following:

1. Comments/approvals from the St. Louis County Highways and Traffic, the Metropolitan St. Louis Sewer District and the appropriate Fire District.
2. Copies of recorded easements for off-site work, including book and page information, will be provided.

XI. VERIFICATION PRIOR TO FOUNDATION OR BUILDING PERMITS

A. Subsequent to approval of the Site Development Plan and prior to the issuance of any foundation or building permit, the following requirements will be met:

1. Notification of Department of Planning

Prior to the issuance of foundation or building permits, all approvals from the above mentioned agencies and the City of Chesterfield Department of Public Works, as applicable, must be received by the City of Chesterfield Department of Planning.

2. Notification of St. Louis County Department of Public Works

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

3. Certification of Plans

Provide verification that construction plans are designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer will 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.

XII. OCCUPANCY PERMIT/FINAL OCCUPANCY

A. The developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the outboundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the U.S. Public Land Survey Corners.

B. Prior to final occupancy of any building the developer will provide certification by a Registered Land Surveyor that no U.S. Public Land Survey Corner has been disturbed during the construction activities or that it has been corrected and the appropriate documents filed with the Missouri Department of Natural Resources Land Survey Program.

- C. All lots shall be seeded and mulched or sodded before an occupancy permit shall be issued except that a temporary occupancy permit may be issued by the City of Chesterfield Planning Department in cases of undue hardship because of unfavorable ground conditions. If the lot is to be seeded and mulched it shall be done so in a manner that it meets or exceeds the requirements of the City of Chesterfield's Sediment and Erosion Control Guidelines.
- D. The obligations and conditions set forth in this attachment are specific to the developer. These obligations and conditions survive the issuance building permits until they are fulfilled and an occupancy permit shall not be released to the developer until they are met.

XIII. FINAL RELEASE OF ESCROW

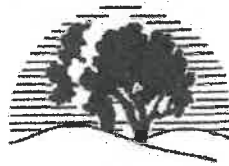
Prior to the release of final escrow, the developer will provide certification by a Registered Land surveyor that all monumentation depicted on the Record Plat has been installed and that the U.S. Public Land Survey Corners have not been disturbed during the construction activities or that they have been corrected and the appropriate documents filed with the Missouri Department of Natural Resources' Land Survey Program.

XVI. GENERAL DEVELOPMENT CONDITIONS

- A. General development conditions relating to the operation, construction, improvement and regulatory requirements to be adhered to by the developer are as follows:
 - 1. Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of permits by issuing Departments and Commissions.
 - 2. The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accord with the Site Development Plan approved by the City of Chesterfield and the terms of this Attachment A.
 - 3. Waiver of Notice of Violation per Section 1003.410(2) of the City of Chesterfield Zoning Ordinance.
 - 4. The entrance geometrics and drainage design will be in accordance with Missouri Department of Transportation (MoDot) standards and will be

reviewed and approved by the City of Chesterfield and the Missouri Department of Transportation.

5. The petitioner will provide adequate detention to eliminate any additional water discharge to encroach MoDot right of way.
 6. The developer will cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the outboundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the U.S. Public Land Survey Corners.
 7. Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty.
 8. If street grades in excess of 6% slope will be desired, 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 12% be permitted. Any request for steep street grades must include justification prepared, signed and sealed by a professional engineer and include plans, profiles, boring logs, cross-sections, etc. The justification should clearly show site conditions and alternatives considered
 9. A landscaped buffer shall be provided around the perimeter of the development. Said buffer shall be a consistent minimum of 20 feet along Clayton Road and a minimum of 10 feet at the northern border of the development. The minimum width of the border on the eastern boundary shall be 15 feet. The height and material of said buffer shall be approved by the City of Chesterfield at the time of Site Development Plan submittal.
- B. This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.
-



City of Chesterfield

DEPARTMENT OF PLANNING

City of Chesterfield-Department of Planning

RECEIVED

SEP - 8 2023

BOARD OF ADJUSTMENT APPLICATION

EXHIBIT

5

The Board of Adjustment is a local body consisting of volunteers appointed by the City Council. It hears requests for variances and appeals of administrative determinations. A variance is a request for relief from the zoning ordinance requirements for a specific parcel. The types of variances that the Board of Adjustment are Use, Area, and Bulk Variances. A variance is granted when there is a 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 at 636-537-4746. For information about this and other projects under review by the Department, please visit "Active Developments" at chesterfield.mo.us/active-developments.html

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

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

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

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

Appeal of Administrative Determination

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

STATE OF MISSOURI

BOA NUMBER _____

HEARING DATE _____

CITY OF CHESTERFIELD

Petition for Appeal from Zoning Regulations

I. APPLICANT INFORMATION

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

Record: 21R540825

Address: 14429 Rue de Gascony

City: Chesterfield,

State: MO

Zip: 63017

Tel.: 314 283 0039

Fax: _____

Petitioner, if other than owner(s): _____

Address: _____

City: _____

State: _____

Zip: _____

Tel.: _____

Fax: _____

Legal Interest: _____

(Provide date of contract and date of expiration of contract)

*Attach additional sheets as necessary for other Parties of Interest (Architect, Engineer, etc.)

690 Chesterfield Parkway West, Chesterfield, MO 63017-8760
Ph. (636)537-4746 Fax (636)537-4798 www.chesterfield.mo.us

II. PROPERTY INFORMATION

Project Address: 14429 Rue de Gascony Chesterfield, MO 63017

Locator Number(s): 21R540825

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

Acreage: 0.11 (To the nearest tenth of an acre)

Subdivision Name (If applicable): Gascony

Current Zoning District:

Legal Description of Property:

Lot 3 of Gascony
Plat Book: 354 Page(s) 161-162
St. Louis County, MO

See attached Survey

(Attach additional sheets as necessary)

III. NATURE OF REQUEST FOR VARIANCE

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

A one story duplex is on the property. There is a 15 foot utility access easement on the northern side of the structure on which is a concrete patio with stairs. The grade level is approximately five feet below the threshold of the back door.

(Attach additional sheets as necessary)

Description of the necessity of the proposed improvement:

We propose to build a deck in this area of approximately 15' x 24' to allow egress from the back door instead of going down three steps to the concrete patio.

Ordinance Number and section to which a variance is sought:

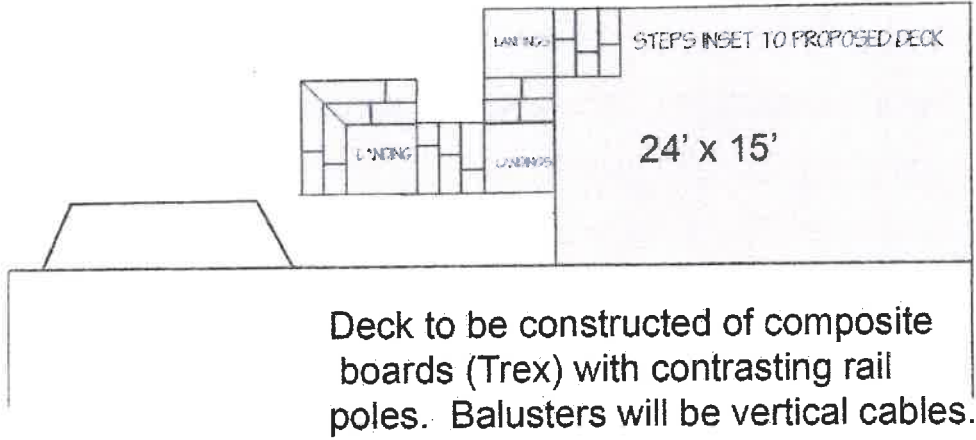
Ordinance 2091 section 5

(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

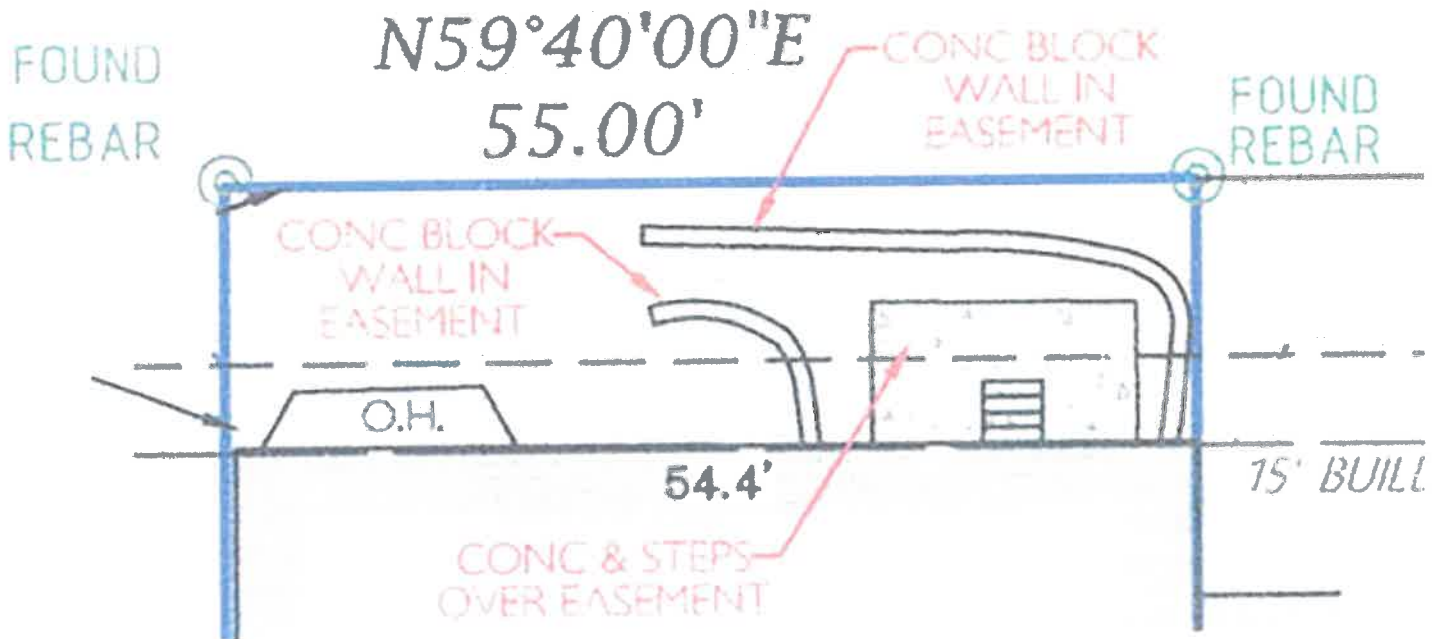
I am unsure about this. The subdivision indentures do not prohibit this. The Trustees of Gascony have approved the plans. (Bonnie Boyd, Chair 636 675-0681

Proposed deck



Existing patio and walls on easement

COMMON GROUND C
MERTZ, EDWIN HENRY ETAL
LOCATOR: 20R31-0137
P.B. 6741, PG. 1167



Existing Patio



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

The proposed deck would provide safer egress from the main level of the house. Currently there are concrete steps leading directly out of the backdoor posing a hazard to the elderly owners and their guests.

The proposed deck has been thoroughly reviewed by the Trustees of Gascony and neighbors and they approve of the addition.

There is a large area of common ground behind the residence as a buffer between neighbors to the north.

(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:

The deck will have little impact on neighboring properties since it is in the location of the existing concrete patio. There is an area of common ground behind the proposed deck that is maintained by our HOA.

Common ground C, Mertz, Edwin Henry etal Locator: 20R31-0137 P.B. 6741, Pg 1167

The Trustees of Gascony HOA have reviewed the plans and checked with neighbors: there are no objections to this plan

(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:	0 ft	0 ft
Rear Yard:	0 ft	15 ft
Height:	NA	NA

Provide the following:

1. A \$90.00 fee. (Checks/money orders to be made payable to the City of Chesterfield)
2. Two completed copies of this application with original signatures. *Please note: A copy with the Chairman's signature and the Board's decision will be returned to you.*
3. Seventeen (17) copies of the following for inclusion in the packet:
 - A site plan showing the dimensions and location (including distance from property lines) of all existing and proposed buildings and structures.
 - Letters from abutting property owners stating their position.
 - Copies of the completed application.
 - The City of Chesterfield rejection or denial.
 - Any other information as required by the City of Chesterfield

*Photos
Trustee letter*

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

Julie Branson

From: Patrick Bell <pbell@chesterfield.mo.us>
Sent: Thursday, August 3, 2023 2:22 PM
To: Julie Branson
Subject: RE: Municipal Zoning Application MZA_231592
Attachments: ord2091.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Project Location: 14429 RUE DE GASCONY CT
Work: Porch/Patio/Deck
Application Status: Under Review

Julie,

After reviewing the site plan for this deck it does not comply with the ordinance for this subdivision. According to ordinance 2091 under section 5 Specific Criteria:
No structures are allowed within the following setbacks:
120 ft from western boundary of the Planned Environment Unit
35 ft from eastern boundary of the Planned Environment Unit
15ft from northern boundary of the Planned Environment Unit

Attached to this email is a copy of ordinance 2091.
The proposed deck does not meet this criteria.

Patrick Bell
Planning Technician
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, MO 63017
Phone: 636.537.4741
Fax: 636.537.4798



This electronic mail transmission and the information contained in it, or attached as a file to it, are intended for the exclusive use of the intended recipient(s). This email should be considered "unofficial communication" and does not necessarily reflect the official position of the City of Chesterfield. An "official position" of the City shall only be communicated in letter form, using City letterhead. The recipient should check this email and any attachments for the

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 \$90.00 fee. (Checks/money orders to be made payable to the City of Chesterfield.)
2. Two completed copies of this application with original signatures. *Please note: A copy with the Chairman's signature and the Board's decision will be returned to you.*
3. Seventeen (17) copies of the following for inclusion in the packet:
 - A site plan showing:
 - The subject property with adjoining streets, existing buildings, major parking lot, and distance to property lines.
 - The location of proposed signs.
 - If attached wall signs, the cross section of wall on which sign is to be placed with dimensions and total square feet (or portion of total wall that will contain petitioner's business).
 - A detail sign plan indicating:
 - Dimension of signs with detail sign lettering layout.
 - Total square feet of signs. If attached, what percent of wall.
 - Light detail, if any.
 - Letters from abutting property owners stating their position.
 - Copies of the completed application.
 - The City of Chesterfield rejection or denial.
 - Any other information as required by the City of Chesterfield

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 _____ (type, stamp or print clearly full name of agent) to act on my behalf to submit this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify I have full knowledge of the property and I have an ownership interest and/or am the owner under contract in the subject of this application. I further certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the City of Chesterfield to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I understand this application, related material and all attachments become official records of the City of Chesterfield, Missouri, and will not be returned. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

OWNER/CONTRACT PURCHASER INFORMATION:

I am the owner contract purchaser. (check (✓) one)

(Name- type, stamp or print clearly)

(Signature)

(Name of Firm)

(Address, City, State, Zip)

Note: Attach additional sheets as necessary.

NOTARY PUBLIC INFORMATION: STATE OF MISSOURI, CITY OF CHESTERFIELD

The foregoing instrument was subscribed and sworn to before me this _____ day of _____ 20 _____ .

Signed _____ Print Name: _____
Notary Public

Seal/Stamp:

My Commission Expires: _____

VI. AFFIDAVIT OF COMPLETENESS AND ACCURACY

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

Project Name: CHOLE DECK 14429 GASCONY **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.

RICHARD A. CHOLE
(Name- type, stamp or print clearly)

Richard A. Chol
(Signature)

(Name of Firm)

7 BRIDLE LAKE, ST. LOUIS, MO
(Address, City, State, Zip) 63131

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 31 day of August 20 23.

Signed Michele Ziegler Print Name: Michele Ziegler
Notary Public

Seal/Stamp:

My Commission Expires: 03/05/2027

MICHELE ZIEGLER
Notary Public-Notary Seal
STATE OF MISSOURI
County of Jefferson
My Commission Expires: 03/05/2027
Commission #23877489

**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]

September 2, 2023

Mr. Rick Chole
7 Bridle Lane
St. Louis, MO 63131

Dear Rick:

In February of 2023 you submitted a plan for a composite deck with stairs at the level of the back exit door at 14429 Rue De Gascony Court, Chesterfield, MO 63017, which was approved by the current Gascony Trustees – Bonnie Boyd, Constance Neumann and Asif Mirza.

This letter confirms our approval of the plans for your deck at 14429 Rue De Gascony Court, Chesterfield, MO 63017.

Sincerely,



Bonnie Boyd, Trustee



Constance Neumann, Trustee



Asif Mirza, Trustee

14425 Rue de Gascony
~~west~~ neighbor
east

Chole, Rick

From: Dale Poslosky <dposlosky2@gmail.com>
Sent: Wednesday, September 6, 2023 1:33 PM
To: Chole, Rick
Cc: Elayne/Barton Goz; Elayne/Barton Goz
Subject: Re: 14429 Deck replacement
Attachments: image002.png

Rick, this is fine with me. Looking forward to having you as a neighbor!

Dale Poslosky

On Mon, Sep 4, 2023 at 1:06 PM Chole, Rick <rchole@wustl.edu> wrote:

Dale, Elayne and Barton,

Cindy and I are planning on replacing the patio at the back of our house (14429) with a deck. The City of Chesterfield asked that I contact you (immediate neighbors) to make sure you approve. I have attached a sketch of what we plan. The Gascony Trustees have approved the plan. The deck will be an off gray with black uprights.

By the way. We are still trying to finalize our plans with our contractor to do the interior remodel but we have been delayed because there has been a health problem in the contractors family.

Here is the deck plan (attached also)

The Trustees have approved the plan.

14433 Rue de Gascony
~~east~~ neighbor
west

Chole, Rick

From: Elayne Goz <elaynegoz@ymail.com>
Sent: Thursday, September 7, 2023 6:58 PM
To: Chole, Rick
Subject: Re: 14429 Deck replacement

Hi Rick,

Sorry to have taken so long to get back to u but Bart is in rehab now after over 2 weeks in the hospital. He is doing better and now but it was pretty scary there for a while and I was just focused on him. He fortunately is doing better now. Anyway, I wanted u to know that assuming the deck does not infringe on our property and hoping that not too many trees come down u have our approval and we wish u much luck and enjoyment with it

[Sent from Yahoo Mail for iPad](#)

On Monday, September 4, 2023, 1:06 PM, Chole, Rick <rchole@wustl.edu> wrote:

Dale, Elayne and Barton,

Cindy and I are planning on replacing the patio at the back of our house (14429) with a deck. The City of Chesterfield asked that I contact you (immediate neighbors) to make sure you approve. I have attached a sketch of what we plan. The Gascony Trustees have approved the plan. The deck will be an off gray with black uprights.

By the way. We are still trying to finalize our plans with our contractor to do the interior remodel but we have been delayed because there has been a health problem in the contractors family.

Here is the deck plan (attached also)

The Trustees have approved the plan.