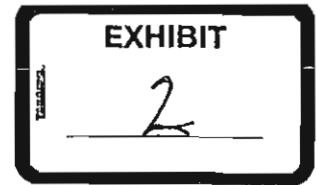


Notice of Public Hearing  
City of Chesterfield  
Board of Adjustment



**NOTICE IS HEREBY GIVEN** that the Board of Adjustment of the City of Chesterfield will hold a Public Hearing on Thursday, November 1, 2018 at 6:00 p.m. in the City Council Chambers at the City of Chesterfield City Hall, 690 Chesterfield Parkway West, Chesterfield, Missouri 63017.

The Board will consider the following:

**B.A. 02-2018 18047 Wild Horse Creek Rd. (Corey Meyer and Lisa Moore):** A request for a variance from Article 03-02 of the City of Chesterfield Unified Development Code for the property addressed as 18047 Wild Horse Creek Road to maintain a front yard setback of 40 feet 6 inches in lieu of the 50 foot setback requirement for a 3.9 acre tract of land zoned "NU" Non Urban District. (18W310014)



All interested parties are invited to appear and be heard at the hearing.

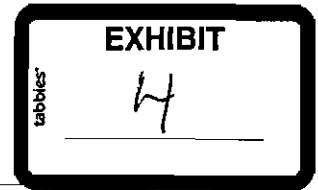
Copies of the request are available for review at City Hall Monday through Friday, from 8:30 a.m. to 4:30 p.m. If you should need additional information about this project, please contact Jessica Henry, Assistant City Planner by telephone at 636-537-4741 or by email at [jhenry@chesterfield.mo.us](mailto:jhenry@chesterfield.mo.us).

City of Chesterfield

Jessica Henry, AICP  
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 or Bulk

**Meeting Date:** November 1, 2018

**From:** Jessica Henry, AICP  
Assistant City Planner

**Location:** 18047 Wild Horse Creek Road

**Applicant:** Corey Meyer and Lisa Moore

**Description:** **B.A. 02-2018 18047 Wild Horse Creek Rd (Corey Meyer and Lisa Moore):**  
A request for a variance from Article 03-02 of the City of Chesterfield Unified Development Code for the property addressed as 18047 Wild Horse Creek Road to maintain a front yard setback of 40 feet 6 inches in lieu of the 50 foot setback requirement for a 3.9 acre tract of land zoned "NU" Non-Urban District. (18W310014)

### PROPOSAL SUMMARY

Mr. Corey Meyer and Mrs. Lisa Moore are requesting a variance from the minimum front yard setback requirement required for their property located at 18047 Wild Horse Creek Road. The property owners are requesting to maintain a forty foot six inch (40'6") front setback in lieu of the required 50 foot front setback in order to accommodate construction of an addition to their residence.

An application is attached to this report which includes an explanation of the above referenced request and statement of unnecessary hardship. Also attached for your reference is a copy of the notice of rejection of their application for Municipal Zoning Approval to construct the addition by the Department of Planning and Development Services. Additionally, the applicant has provided color perspectives and a photo of the existing residence for the Board's consideration.

### SITE HISTORY AND EXISTING CONDITIONS

Prior to the incorporation of the City of Chesterfield, this property was zoned "NU" Non-Urban District by St. Louis County, and the County's tax records indicate that the existing residence was constructed in 1931.



**Figure 1: Aerial Image of Subject Site**



**Figure 2: Google Street View of Subject Site**

In July of 2018, an Application was submitted to the Department of Planning and Development Services requesting to construct a new addition on the existing residence. The existing residence, which was constructed prior to the current zoning designation, is also within the front yard setback and is considered a legally non-conforming use. However, Staff cannot approve a permit that enlarges a non-conformity, as the Unified Development Code states that "A nonconforming use of land shall not be enlarged, extended or altered and a structure or part thereof devoted to a nonconforming use shall not be enlarged, extended, constructed, reconstructed, or structurally altered..." While certain exceptions are provided within the code, none applied to the current request. The application was therefore denied and the applicants referred to the Board of Adjustment.

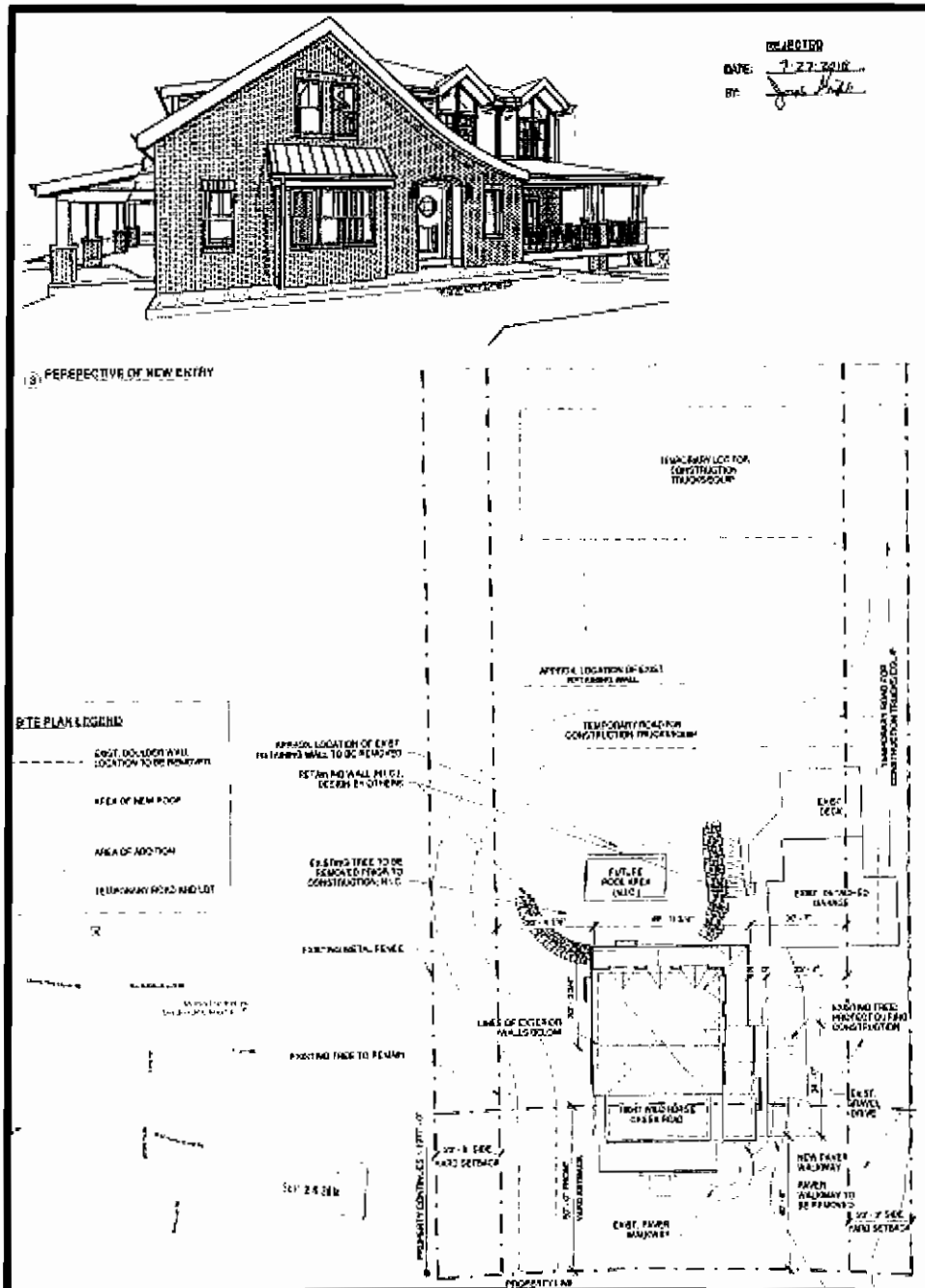


Figure 2: Rejected MZA application indicating encroachment

As shown in the enlarged proposed site plan excerpt provided by the applicant, the proposed addition maintains the line of the existing residence and does not project further into the setback than the non-conforming portion of the residence. The area of the addition that is requested to maintain a 40'6" front yard setback is 91.4 square feet. The side and rear yard setbacks of 20 feet will be maintained.

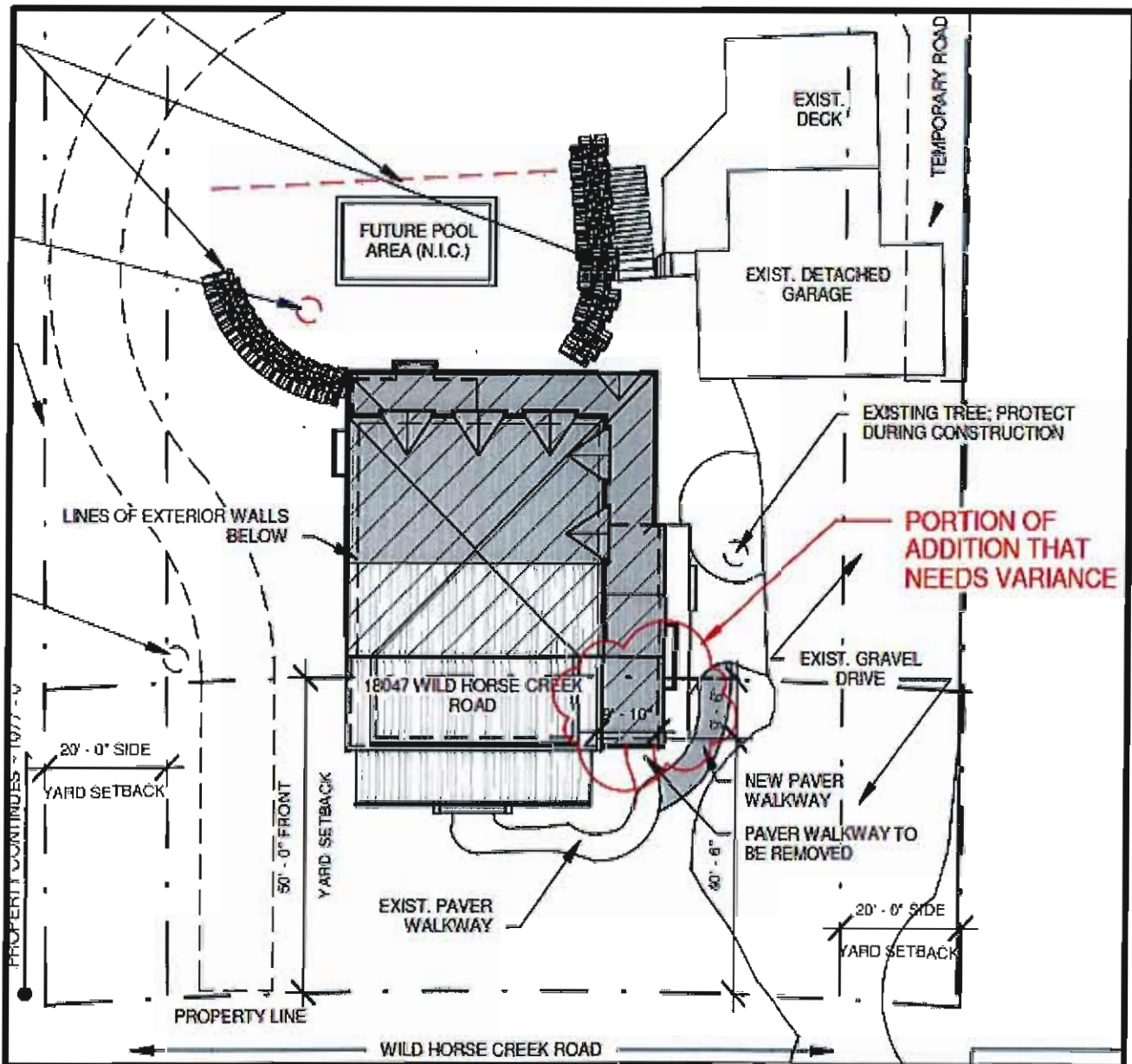


Figure 3: Enlarged Site Plan indicating encroachment

### BOARD OF ADJUSTMENT POWERS AND RESPONSIBILITIES

In consideration of a request for a variance, the Board of Adjustment is required to follow Missouri State Statute and Chesterfield City Code requirements. Missouri Revised Statute Chapter 89.090 requires that a Board of Adjustment may only grant variances when the Applicant has established the necessary "practical difficulties or unnecessary hardship" and when "the spirit of the ordinance shall be observed, public safety and welfare secured and substantial justice done".

In determining if a practical difficulty or unnecessary hardship has been established by the Applicant, the Board must determine if relief is necessary due to an unusual or unique character of the property or lot. The burden of proving this is on the Applicant and an individual cannot create a situation and then claim he needs a variance. (Wolfner v. Board of Adjustment of City of Warson Woods, 114 S.W.3d 298 Mo.App.E.D, 2003).

### **APPLICANT REQUEST**

The Applicant has stated that unique physical characteristics exist for the following reason: "Although the lot is long and narrow, the existing home is located very close to the street. In fact, the home is built closer to the street than the setback line allows." In the statement of unnecessary hardship, the applicants reference the age of the home and their desire to construct a new front entry to the home that faces east, providing separation from Wild Horse Creek Road. The applicants go on to cite safety concerns due to the proximity of the current front entry to Wild Horse Creek Road, which they describe as "heavily trafficked and has a speed limit of 45 mph." Please refer to the attached application for full statement from the Applicant.

**The Applicant is requesting a variance to maintain a 40' 6" foot front yard setback in lieu of the 50 foot front yard setback requirement in order to accommodate the construction of an addition to their existing residence.**

### **REVIEW OF VARIANCE REQUEST**

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

**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 residential addition to encroach 9 feet 6 inches into a 50 foot required front yard setback.
2. The effect, if the variance is allowed, on available governmental facilities. Staff does not anticipate an effect on governmental facilities.
3. Whether a substantial change will be produced in the character of the neighborhood or substantial detriment to adjoining properties or neighbors. After reviewing the request submitted by the Applicant, Staff is of the opinion that granting a variance for the proposal would not result in a substantial change in the character of the neighborhood. A Letter of support for said request has been provided by the Applicant and is included in the meeting packet.

4. Whether the difficulty can be obviated by some feasible method other than the variance. Review of the plot plan by Staff indicates that there is room to accommodate an alternative configuration of a residential addition within the required setbacks.
5. Whether the interest of justice will be served by allowing the variance. Staff has reviewed the documents related to this petition. The current residence was constructed in 1931, which was prior to both the enactment of St. Louis County's 1946 zoning ordinance and the subsequent 1965 zoning ordinance which resulted in the blanket zoning of many properties located within current day Chesterfield city limits to the "NU" Non-Urban District. Further, the nature of Wild Horse Creek Road has undoubtedly changed in the decades since construction.

### 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. Site perspectives and photograph
  - c. City's notice of rejection for the Municipal Zoning Approval Application
  - d. Letter of support
6. Findings of Fact and Conclusions of Law—Denial
7. Findings of Fact and Conclusions of Law—Approval

RECEIVED

OCT - 1 2018

City of Chesterfield  
Department of Public Services



# City of Chesterfield

EXHIBIT  
5a

## DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

### BOARD OF ADJUSTMENT APPLICATION

The Board of Adjustment is a local body consisting of volunteers appointed by the Mayor. The Board hears requests for variances and appeals of administrative determinations. A variance is a deviation from the zoning ordinance requirements for a specific parcel. The types of variances heard before the Board of Adjustment are Use, Area, and Bulk Variances. A variance is granted only upon demonstration of a hardship such as lot size, topography, or other issues not created by the lot owner. For questions about this application, please contact the Department of Planning & Development Services 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](http://chesterfield.mo.us/active-developments.html)

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

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

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

STATE OF MISSOURI	BOA NUMBER	_____
	HEARING DATE	_____

CITY OF CHESTERFIELD  
Petition for Appeal from Zoning Regulations

### I. APPLICANT INFORMATION

Owner(s) of record of the hereinafter described property according to St. Louis County Assessor  
 Record: Meyer, Corey F & Moore, Lisa K Husband/Wife  
 Address: 18047 Wild Horse Creek Rd.  
 City: Chesterfield State: MO Zip: 63005  
 Tel.: 314-571-9852 Fax: \_\_\_\_\_

Petitioner, if other than owner(s): Michael R. Killeen, Architect  
 Address: Killeen Studio Architects, 3015 Salena Street  
 City: St. Louis State: MO Zip: 63118  
 Tel.: 314-771-0883 Fax: 314-771-0154

Legal Interest: Arch. contracted to rep. owners. Contract signed: 12/07/17; add'l: 5/20/18, open ended.  
 (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:** 18047 Wild Horse Creek Rd., Chesterfield, MO 63005

**Locator Number(s):** 18W310014

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

**Acreage:** 3.9 (To the nearest tenth of an acre)

**Subdivision Name (If applicable):**

**Current Zoning District:** NU - Non-Urban District

**Legal Description of Property:**

Refer to included, attached additional sheet for full description (referred to as page "2a".)

(Attach additional sheets as necessary)

## III. NATURE OF REQUEST FOR VARIANCE

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

Although the lot is long and narrow, the existing home is located very close to the street. In fact, the home is built closer to the street than the setback line allows.

(Attach additional sheets as necessary)

**Description of the necessity of the proposed improvement:**

For safety and practical purposes, the Meyer's would like to re-orient their home entry to the east rather than south which fronts Missouri CC highway, aka "Wild Horse Creek Rd." In addition, the family seeks to add to the existing home to the rear (north) of the lot to make the home more functional for their family.

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

Section 1003.105, NU - Non Urban District Zoning regulations. "Minimum lot area requirements; general." Item (a).

(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

# 18047 WILD HORSE CREEK RD., CHESTERFIELD, MO 63005

## LEGAL DESCRIPTION OF PROPERTY:

A TRACT OF LAND IN U.S. SURVEYS 164 AND 153, TOWNSHIP 45 NORTH, RANGE 3 EAST IN THE COUNTY OF ST. LOUIS, MISSOURI, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTH LINE OF U.S. SURVEY 153 SAID POINT BEING SOUTH 78 DEGREES 10 MINUTES WEST 318.48 FEET FROM THE SOUTHEAST CORNER OF SAID U.S. SURVEY 153; THENCE NORTH 11 DEGREES 33 MINUTES WEST 570.00 FEET TO A POINT; THENCE NORTH 78 DEGREES 10 MINUTES EAST AND PARALLEL WITH THE SOUTH LINE OF SAID U.S. SURVEY 153, 159.24 FEET TO A POINT; THENCE IN A SOUTHERLY DIRECTION TO A POINT IN THE CENTER LINE OF WILD HORSE CREEK ROAD, SAID POINT BEING NORTH 87 DEGREES 58 MINUTES EAST 151.22 FEET FROM THE INTERSECTION OF THE CENTER LINE OF THE SAID WILD HORSE CREEK ROAD WITH THE EAST LINE OF U.S. SURVEY 164; THENCE ALONG SAID CENTER LINE OF WILD HORSE CREEK ROAD SOUTH 87 DEGREES 58 MINUTES WEST 13.78 FEET TO A POINT; THENCE SOUTH 72 DEGREES 43 MINUTES WEST 136.22 FEET TO A POINT IN THE CENTER LINE OF WILD HORSE CREEK ROAD; THENCE NORTH 12 DEGREES 38 MINUTES WEST 548.30 FEET TO A POINT IN THE SOUTH LINE OF SURVEY 153; THENCE SOUTH 78 DEGREES 10 MINUTES WEST 8.04 FEET TO THE POINT OF BEGINNING.

BASIS OF BEARING: THE BEARING SYSTEM HAS BEEN ADOPTED FROM GPS OBSERVATION, USING THE MISSOURI DEPARTMENT OF TRANSPORTATION'S NETWORK OF CONTINUOUSLY OPERATING REFERENCE SYSTEMS, ADJUSTED TO THE NAD83 STATE PLANE COORDINATE SYSTEM FOR THE STATE OF MISSOURI, EAST ZONE.

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

Our hardship is the safety issue that stems from the original location of the 1931 house on Wild Horse Creek Road. The main portion of the house is approximately 40 feet from Wild Horse Creek Road, and the front porch is separated from the road by just 30 feet of yard. There is a narrow walkway to the front door and a single row of trees between the front of the house and the road.

Our house sits at a bend facing the road, which is heavily-trafficked and has a speed limit of 45 mph with many drivers exceeding this limit. We live in the home with our two daughters, 7 and 8 years old, and have always been concerned about their safety and that of their friends who might get too close to the road, or heaven forbid, an accident might bring the road even closer. To address this matter, we have never used the house's original front door, but instead use the mud room door on the east façade, discouraging our girls from using the original front yard. This temporary solution provides some respite from our concerns, but we have always felt a need to provide a more permanent solution to this issue.

We have recently decided that our living situation must to change to accommodate our family's needs. We would like to try to stay in our home, but we need more space, a safe yard for our children, and a usable front door. We asked our architect to redesign our home to be larger with a new front door facing east. If implemented, the house would have a front door that could safely be used and a design that ties the old house with the new, creating an inviting new front façade.

The footprint of the area requested for the variance is relatively small, just 91.4 square feet, encroaching 9 feet 6 inches over the setback at the southeast corner of the house. This small area may seem inconsequential but is needed to change the orientation of the front of the house from the south façade to the east façade. Without it, our design would be confusing with visitors not sure where the front door is. Because the home is already constructed over the south setback line, the area of encroachment would be beyond the south setback line, but in line with the current edge of the home (that is, it would not extend farther over the south setback line than the current house).

After spending months exploring possible designs with our architect, we have concluded that this is the only option that is feasible, allowing us to stay in our home. Any design that expands the house without relocating the front entrance would not address this core safety issue, which is key to our family's and any future owner's wellbeing.

Lisa and Corey Meyer

(Attach additional sheets as necessary)

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

There is no physical effect or impact on neighboring properties. Existing property lines remain; and work planned at this home will all be on this homeowner's land, and at or beyond the side-yard setbacks associated with the two neighbors on each side of the home along Wild Horse Creek Rd. The work will also be beyond the rear-yard setback associated with the north border of the parcel.

We as owners believe that the improvements will however, have a positive effect on property values and the addition will vastly improve the looks of our home and increase the finished area by 3770 square feet. The finished home will be 7275 square feet including basement area.

(Attach additional sheets as necessary)

**For Area or Bulk Variance Requests, complete the following section:**

**A. Setbacks/Height:**

Represents 9'-6" relief from the 50' front setback (for approx. a 12' wide portion of the addition) Ref. to site plan

**The Petitioner(s) request the following setback(s):**

**City of Chesterfield Regulations require the following setback(s) for this site:**

<b>Front Yard:</b>	40' - 6" to face of new construction	50'-0" to new construction
<b>Side Yard:</b>	No change requested.	20'-0"
<b>Rear Yard:</b>	No change requested.	20'-0"
<b>Height:</b>	No change requested.	20'-0"

**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. 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

Included in this overall submittal packet are 17 copies of 2018-era Site Survey.  
Also included with this 8.5" x 11" application packet is a 6-page, color perspective & photo / enlarged site plan document.

**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 Michael R. Killeen, of Killeen Studio Architects (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)

Corey F. Meyer  
(Name- type, stamp or print clearly)

(Name of Firm)

Note: Attach additional sheets as necessary.

[Signature]  
(Signature)  
18047 Wild Horse Creek Rd.  
Chesterfield, MO 63005  
(Address, City, State, Zip)

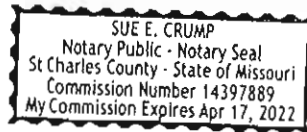
**NOTARY PUBLIC INFORMATION: STATE OF MISSOURI, CITY OF CHESTERFIELD**

The foregoing instrument was subscribed and sworn to before me this 28 day of Sept 2018.

Signed [Signature]  
Notary Public

Print Name: Sue E. Crump

Seal/Stamp:



My Commission Expires: 4/18/22

**VI. AFFIDAVIT OF COMPLETENESS AND ACCURACY**

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

**Project Name:** 18047 Wild Horse Creek Rd. (Home Addition)      **Submittal Date:** 10/01/2018


**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.

Michael R. Killeen, Architect

\_\_\_\_\_  
(Name- type, stamp or print clearly)  
Killeen Studio Architects

  
\_\_\_\_\_  
(Signature)  
3015 Salena St., St. Louis, MO 63118


(Name of Firm)

(Address, City, State, Zip)

Note: Attach additional sheets as necessary.

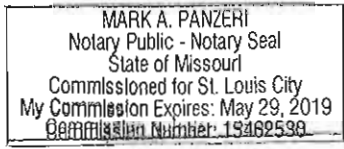
**NOTARY PUBLIC INFORMATION: STATE OF MISSOURI, CITY OF CHESTERFIELD**

The foregoing instrument was subscribed and sworn to before me this 1<sup>ST</sup> day of October 20 18.

Signed       Print Name: Mark A. Panzeri  
Notary Public

Seal/Stamp:

My Commission Expires: 5/29/19



**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]**

EXHIBIT

56.

PORTION OF  
ADDITION THAT  
NEEDS VARIANCE

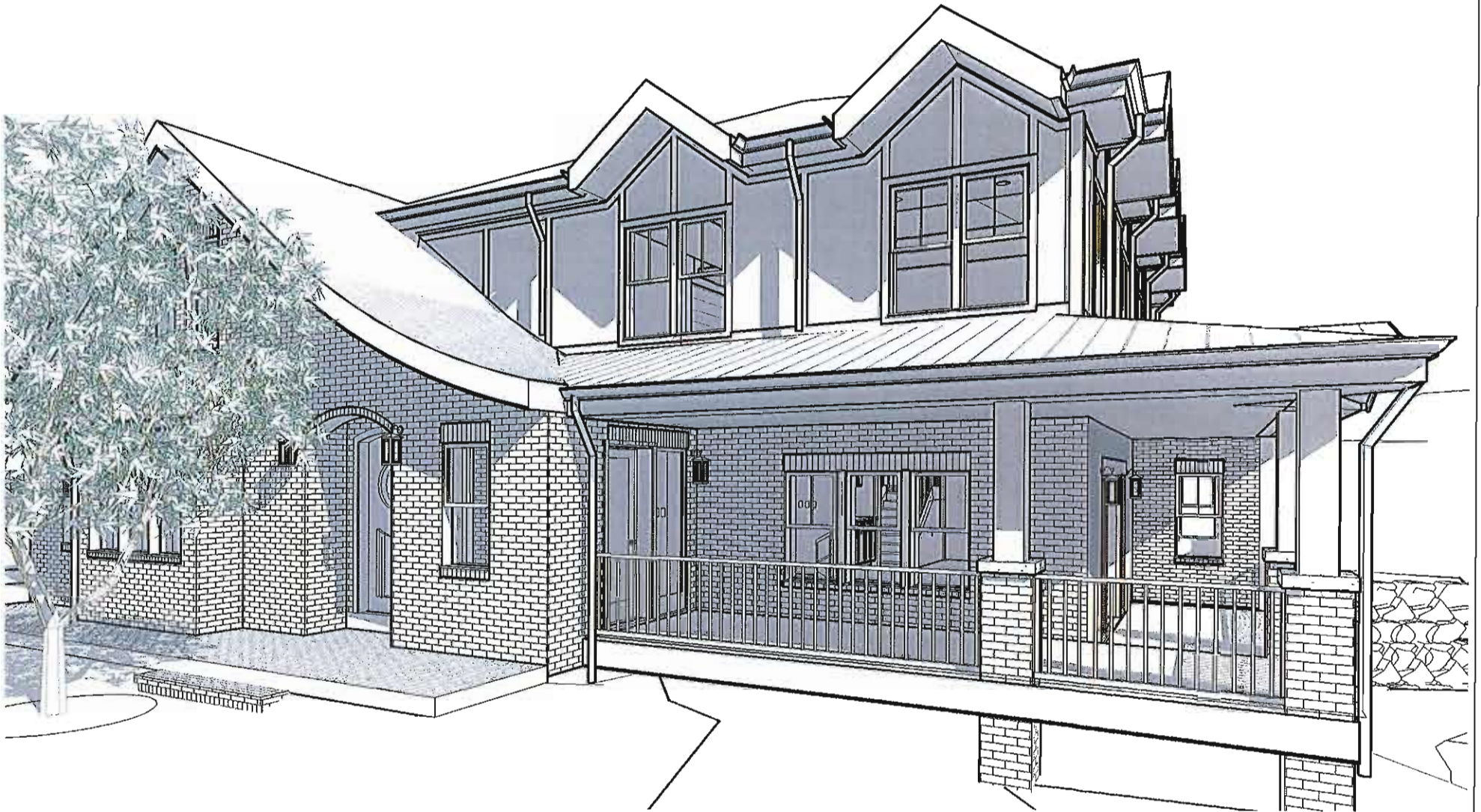


○ EAST PERSPECTIVE  
MEYER RESIDENCE - 18047 WILD HORSE CREEK ROAD

09/28/18

**KILLEN STUDIO  
ARCHITECTS**  
3015 Salena Street  
St. Louis, MO 63118  
tel: 314.771.0683





○ NORTHEAST CORNER  
MEYER RESIDENCE - 18047 WILD HORSE CREEK ROAD

09/28/18

**KILLEEN STUDIO  
ARCHITECTS**

3015 Salena Street  
St. Louis, MO 63118  
tel: 314.771.0883





NORTHEAST CORNER (2)  
MEYER RESIDENCE - 18047 WILD HORSE CREEK ROAD

09/28/18

**KILLEN STUDIO  
ARCHITECTS**

3015 Salena Street  
St. Louis, MO 63118  
tel: 314.771.0883





○ NORTH ELEVATION



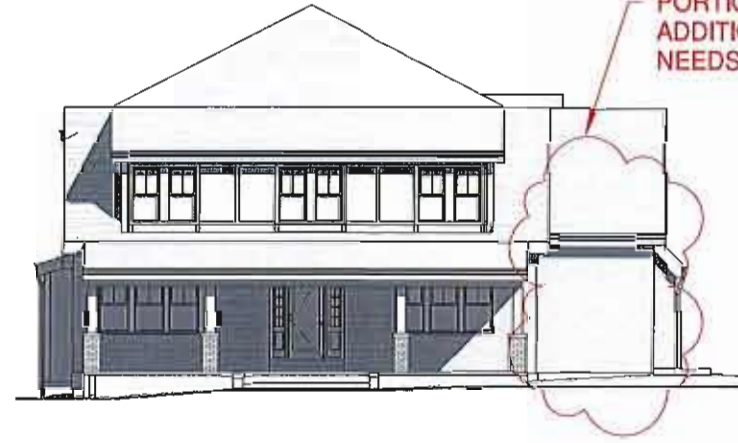
○ WEST ELEVATION

PORTION OF ADDITION THAT NEEDS VARIANCE



○ EAST ELEVATION

PORTION OF ADDITION THAT NEEDS VARIANCE



○ SOUTH ELEVATION

09/28/18

MEYER RESIDENCE - 18047 WILD HORSE CREEK ROAD

**KILLEEN STUDIO  
ARCHITECTS**

3015 Salena Street  
St. Louis, MO 63118  
tel: 314.771.0883



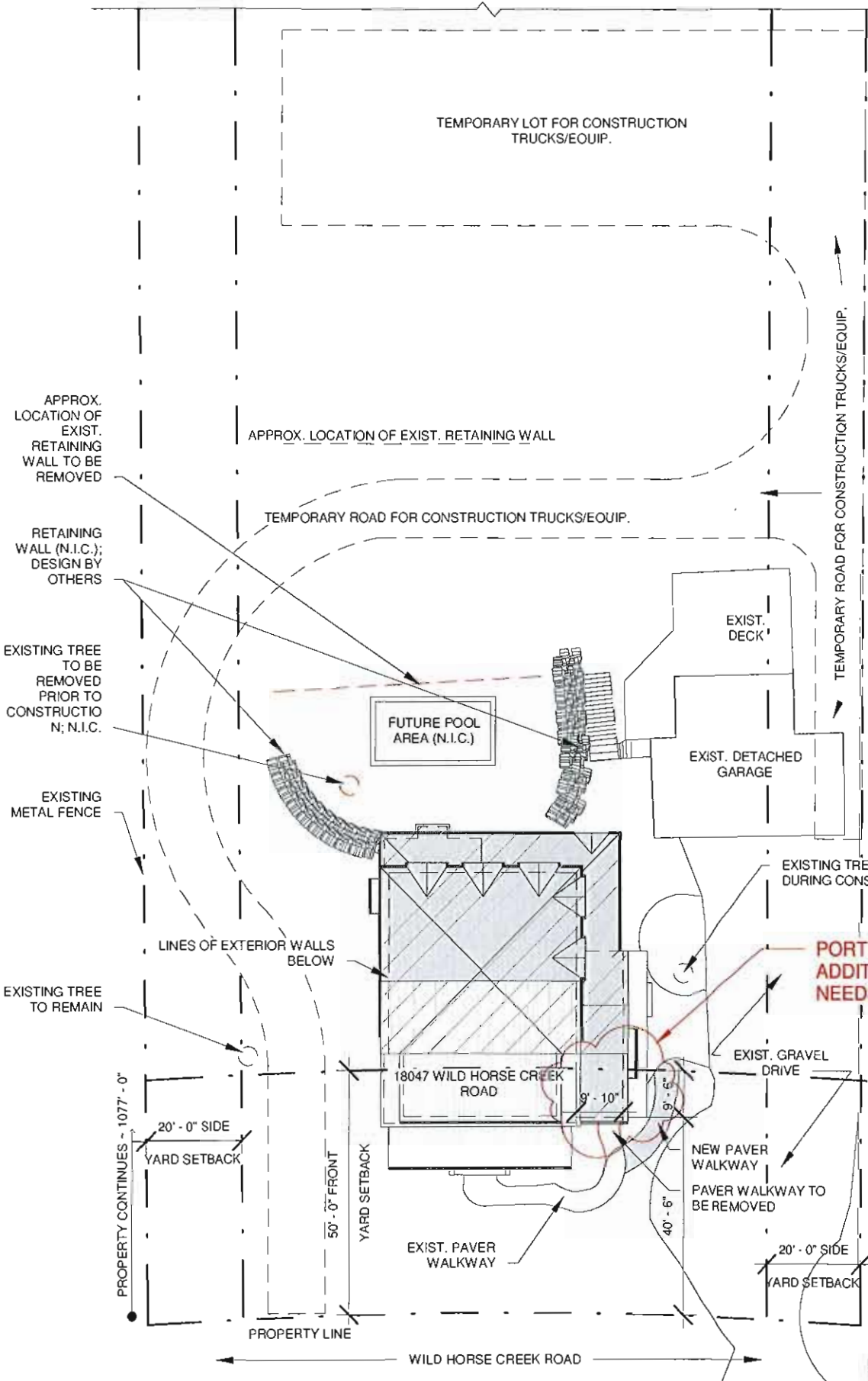


○ VIEW OF EXISTING RESIDENCE FROM WILD HORSE CREEK ROAD  
MEYER RESIDENCE - 18047 WILD HORSE CREEK ROAD

**KILLEEN STUDIO  
ARCHITECTS**

3015 Salena Street  
St. Louis, MO 63118  
tel: 314.771.0883





09/28/18

(X) ENLARGED PROPOSED SITE PLAN  
 1" = 30'-0"



**KILLEEN STUDIO ARCHITECTS**

3015 Salena Street  
 St. Louis, MO 63118  
 tel: 314.771.0883

**ABBREVIATIONS:**

A.D.	AREA DRAIN
A.F.F.	ABOVE FINISH FLOOR
ACT	ACCOUSTICAL
AGG.	AGGREGATE
AL	ALUMINUM
ANOD.	ANODIZED
B.H.	BULKHEAD
BSMT.	BASEMENT
BM.	BENCHMARK
BLK	BLOCK
BD.	BOARD
BLDG.	BUILDING
BP	BEAM POCKET
BUR	BUILT-UP ROOFING
C.J.	CONTROL JOINT
CPT	CARPET
CB	CATCH BASIN
CLG	CEILING
C.O.	CLEAN OUT
COL.	COLUMN
CONC.	CONCRETE
CONT.	CONTINUOUS
CONTR.	CONTRACTOR
CT	CERAMIC TILE
DIA.	DIAMETER
DIM.	DIMENSION
DJ	DECK JOISTS
DS	DOWNSPOUT
DWG	DRAWING
DN	DOWN
E.C.	ELECTRICAL CONTRACTOR
EL	ELEVATION
ELEC.	ELECTRIC OR ELECTRICAL
ELEV.	ELEVATOR
EXH	EXHAUST
EQ	EQUAL
EX	EXISTING
EXT.	EXTERIOR
E.J.	EXPANSION JOINT
FIN	FINISH
F.D.	FLOOR DRAIN
FDM	FOUNDATION
F.O.B.	FACE OF BRICK
FUR	FURRING / FURRED
FUT	FUTURE
FRT	FIRE RETARDANT TREATED
FTG	FOOTING
GA	GAUGE
GALV.	GALVANIZED
G.C. or GL.	GENERAL CONTRACTOR (GEN'L. CONTR.) GLASS OR GLAZING
GFRG	GLASS-FIBER REINFORCED CONCRETE
GPM#	GRAVOIS PLANING MILL PROFILE NUMBER
GR	GRADE
GYP. BD.	GYP-SUM BOARD
HDW	HARDWARE
HTG	HEATING
HVAC	HEATING / VENTILATION / AIR CONDITIONING
HT	HEIGHT
HC	HOLLOW CORE
HM	HOLLOW METAL
HB	HOSE BIB
I.D.	INSIDE DIAMETER
I.W.	INTERIOR WORK
JST	JOIST
K.O.	KNOCK OUT
LAV.	LAVATORY
LT	LIGHT
LTL	LINTEL
LVR	LOUVER
M.O.	MASONRY OPENING
MANUF. or MECH.	MANUFACTURER (also MFR) or MECHANICAL
MTL	METAL
MATL	MATERIAL
MAX	MAXIMUM
MIN.	MINIMUM
MMB	MEMBRANE
MISC	MISCELLANEOUS
MLDG	MOLDING
MULL	MULLION
N.C.	NO CHANGE
NOM	NOMINAL
N.I.C.	NOT IN CONTRACT
N.T.S.	NOT TO SCALE
O.C.	ON CENTER
OPNG	OPENING
OPP.	OPPOSITE
O.D.	OUTSIDE DIAMETER
OFCI	OWNER FURNISHED - CONTRACTOR INSTALLED
P.T.	PRESSURE TREATED
PT	PAINT
PTN	PARTITION
PLT.	PLATE
PVC	POLYVINYL CHLORIDE
PLUMB	PLUMBING
PLAM	PLASTIC LAMINATE
PR	PRIVATE
PTD	PAINTED
RCP	REFLECTED CEILING PLAN
RD	ROOF DRAIN
RA	RETURN AIR
RFL	REFLECTED
RM	RESILIENT MATERIAL
REG'S	REGULATIONS
REQ	REQUIRED
SC	SOLID CORE
SIM	SIMILAR
SPKR	SPEAKER
SPECS	SPECIFICATIONS
STL	STEEL
STOR.	STORAGE
STRUCT	STRUCTURAL
SYN	SYNTHETIC
SYS	SYSTEM
SCH	SCHEDULE
SS	STAINLESS STEEL
SHT	SHEET
TEL	TELEPHONE
THR	THRESHOLD
TPO	THERMOPLASTIC POLYOLEFIN SINGLE-PLY ROOFING MEMBRANE
TRANSOM	TRANSOM
TYP.	TYPICAL
U.N.O	UNLESS NOTED OTHERWISE
WC	WALL COVERING
WP	WATER PROOF
WWF	WELDED WIRE FABRIC
WIT	WITH
WO	WITHOUT
WD	WOOD
WH	WATER HEATER

**GENERAL CONDITIONS:**

- THE CONTRACTOR SHALL OBSERVE ALL REGULATIONS IMPOSED BY THE APPROPRIATE GOVERNING BODIES, AND ALL WORK SHALL COMPLY WITH THE REQUIREMENTS OF THE BUILDING CODES, ACCIDENT AND FIRE PREVENTION REGULATIONS. COMPLIANCE: ALL MATERIALS, EQUIPMENT, WORKMANSHIP, WORKING CONDITIONS, AND CONSTRUCTION METHODS SHALL COMPLY WITH THE LATEST APPLICABLE SECTIONS OF LOCAL, MUNICIPAL, CITY, STATE & FEDERAL CODES, ORDINANCES & STANDARDS.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS & CONDITIONS PRIOR TO STARTING ANY CONSTRUCTION AND SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCIES OR INCONSISTENCIES AT THE BUILDING SITE.
- THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS SHOWN ON THE DRAWINGS & CONSTRUCT ALL NEW WORK IN A NEAT & APPROVED MANNER.
- THE CONTRACTOR SHALL ESTABLISH AND VERIFY ALL OPENINGS & INSERTS FOR MECHANICAL AND ELECTRICAL WORK AS REQUIRED FOR THEIR INSTALLATION AND PER DRAWINGS (IF APPLICABLE).
- THE CONTRACTOR SHALL PROVIDE ALL NECESSARY TEMPORARY BRACING, SHORING, GUYING, OR OTHER MEANS TO AVOID EXCESSIVE STRESSES AND TO HOLD STRUCTURAL ELEMENTS IN PLACE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR SAFETY AND SECURITY IN & AROUND THE JOB SITE DURING CONSTRUCTION.
- THE A.I.A. GENERAL CONDITIONS (FORM A-201 LATEST ISSUE) SHALL GOVERN AND BE PART OF THIS PROJECT.
- THE CONTRACTOR SHALL SUBMIT/FILE FOR, PAY & SECURE ALL APPROVALS, FIRE PERMITS, TESTS, AND CERTIFICATES OF COMPLIANCE & OCCUPANCY. BUILDING PERMIT TO BE APPLIED FOR BY ARCHITECT.
- THE DIMENSIONS ON THESE DRAWINGS IN ALL CASES SUPERSEDE SCALE. CONTRACTOR IS NOT TO SCALE DRAWINGS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR RUBBISH SWEEP UP & REMOVED DAILY. UPON COMPLETION OF WORK, THE CONTRACTOR SHALL LEAVE WORK IN A FINISHED CONDITION.
- IT WILL BE THE DUTY OF THE CONTRACTORS TO COMMUNICATE IMMEDIATELY WITH EACH OTHER IN ORDER TO SCHEDULE WORK, STORAGE AREAS, ETC. IN A MANNER AND WITHIN THE TIME SPECIFIED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGE TO OWNER'S OR OTHERS PROPERTY DONE BY HIM/HER OR INDIVIDUALS IN THE CONTRACTOR'S EMPLOY, OR THROUGH NEGLIGENCE.
- THE CONTRACTOR SHALL LOCATE THE BUILDING SITE, ESTABLISH BUILDING LINES, BENCH MARKS, FINISH FLOOR ELEVATIONS, LAYOUT FOR PARTITIONS & OPENINGS.
- THE CONTRACTOR SHALL VERIFY THE LOCATION OF UTILITIES BEFORE CONSTRUCTION BEGINS.
- ALL ARCHITECTURAL DRAWINGS ARE IN CONFIDENCE AND DISSEMINATION MAY NOT BE MADE WITHOUT PRIOR WRITTEN CONSENT OF THE ARCHITECT. ALL COMMON LAW RIGHTS OF COPYRIGHTS AND OTHERWISE ARE HEREBY SPECIFICALLY RESERVED.
- IF THE CONTRACTOR DOES NOT CLEARLY UNDERSTAND THE PLANS, HE SHOULD OBTAIN THE ARCHITECT'S WRITTEN EXPLANATION PRIOR TO BIDDING. THE CONTRACTOR WILL BE HELD RIGIDLY TO INTERPRETATIONS OF THE ARCHITECT.
- ALL ELECTRICAL, LIGHTING, MECHANICAL & PLUMBING WORK IS TO BE ON A DESIGN/BUILD BASIS BY THE GENERAL CONTRACTOR. G.C. IS TO CONFER WITH OWNER ON DESIGN OF ALL OF THESE SYSTEMS BEFORE PRESENTING CONSTRUCTION BID TO OWNER.
- ANY TRACKING OF SOIL OR OTHER DEBRIS MUST BE CLEANED IMMEDIATELY BY THE CONTRACTOR. ALLEYS AND ROADWAYS SHOULD BE CLEANED ON A REGULAR BASIS.
- ALL WORK TO BE COMPLETED ON OWNERS PROPERTY. NO ENCROACHMENT ALLOWED ON NEIGHBORS LOT UNLESS PERMISSION GRANTED BY A PROPERTY MAINTENANCE AGREEMENT.

**MECHANICAL NOTES:**

- EQUIPMENT AND ROUGH MECHANICAL WORK SHALL BE DESIGNED AND BUILT BY D/B CONTRACTOR WHO SHALL ARRANGE FOR AND OBTAIN INSPECTIONS AND SIGN-OFFS REQ. BY THE APPLICABLE CITY GOVERNING AUTHORITY.
- DUCTWORK AND MECHANICAL SYSTEMS SHALL BE SEALED FOR PROTECTION DURING CONSTRUCTION; HVAC EQUIPMENT SHALL NOT BE OPERATED DURING CONSTRUCTION.
- HVAC CONTRACTOR TO SUPPLY ALL HEAT LOSS CALCULATIONS AS REQUIRED PER CODE.

**ELECTRICAL NOTES:**

- ELECT. WORK SHALL BE DESIGNED AND BUILT BY D/B CONTRACTOR, WHO SHALL ARRANGE FOR AND OBTAIN INSPECTIONS AND SIGN-OFFS REQ. BY THE APPLICABLE CITY GOVERNING AUTHORITY. LIGHTS, PHONES, ELECT. SWITCHES AND OUTLETS TO BE INSTALLED PER CODE. OWNER TO APPROVE FINAL LAYOUT AND FIXTURE SELECTION.

**PLUMBING NOTES:**

- ROUGH PLUMBING WORK TO BE DESIGNED AND BUILT BY D/B CONTRACTOR, WHO SHALL ARRANGE FOR AND OBTAIN INSPECTIONS AND SIGN-OFFS REQ. BY THE APPLICABLE CITY GOVERNING AUTHORITY + MSD IF APPLICABLE. OWNER TO APPROVE FINAL FIXTURES.
- AVOID SUPPLY LINES AT EXTERIOR WALLS. WHEN UNAVOIDABLE, FULLY INSULATE SUPPLY LINES AT EXTERIOR WALLS TO WARD AGAINST PIPES FAILING IN COLD WEATHER.

**GENERAL SITE NOTES:**

- PREPARE SOIL FOR LANDSCAPING: REMOVE ROCK, GRAVEL, TRASH, CONSTRUCTION DEBRIS, AND MATERIALS NOT SUITABLE FOR LANDSCAPING.
- EXCAVATING CONTRACTOR IS TO CONTACT ELECTRIC, WATER, SEWER AND GAS COMPANIES TO VERIFY LOCATIONS OF UTILITIES PRIOR TO EXCAVATION.
- CONTROL EROSION AND PREVENT DISCHARGE OF SOIL ONTO ADJACENT PROPERTIES DURING CONSTRUCTION.
- FOOTINGS ARE DESIGNED ON THE BASIS OF ASSUMED ALLOWABLE SOIL BEARING PRESSURE. EXTEND FOOTINGS DOWN BELOW BEARING ELEVATION INDICATED, AS REQUIRED, TO REACH SOIL PROVIDING ADEQUATE BEARING CAPACITY.

**INSULATION NOTES:**

- BUILDING TO BE WEATHER SEALED AND INSULATED PER CODE WITH IMPROVEMENTS AS SPECIFIED PER PLANS, SPECIFICATIONS AND AS REQUESTED BY OWNER.

**SYMBOL LEGEND**

	ELEVATION		DETAIL NUMBER
	FLOOR DRAIN		SHEET NUMBER
	HOSE BIB		ELEVATION
	TEMPERED GLASS		DETAIL NUMBER
	KEYNOTE		SHEET NUMBER
	DOOR TAG		DETAIL NUMBER
	WINDOW TAG		SHEET NUMBER
	EGRESS WINDOW TAG		BUILDING SECTION
	PARTITION TYPE		DETAIL NUMBER
	SECTION CALLOUT		SHEET NUMBER
	EXISTING DOOR		NEW DOOR
	EXISTING WINDOW		NEW WINDOW
	EXISTING WALL		DOOR TO REMOVE
	NEW WALL		WINDOW TO REMOVE
	WALL TO REMOVE		

**SHEET INDEX**

A0.0	Cover Sheet
A0.1	Site Plan & Demolition Plans
A1.0	Demolition Plans
A1.1	Basement Plan
A1.2	First Floor Plan
A1.3	Second Floor Plan
A1.4	Roof Plan
A1.5	Basement Reflected Ceiling Plan
A1.6	First Floor Reflected Ceiling Plan
A1.7	Second Floor Reflected Ceiling Plan
A1.8	Foundation & Framing Plans
A1.9	Framing Plans
A2.0	Building Elevations
A2.1	Building Elevations
A3.0	Building & Wall Sections
A3.1	Building & Wall Sections
A3.2	Building & Wall Sections
A3.3	Stair Section
A4.0	Interior Elevations
PM.1	Project Manual
PM.2	Project Manual
S1	Fastening & Lateral Bracing Schedules
S2	Lateral Bracing Details

These sheets excluded for this submittal

**PROJECT INFORMATION:**

**PROJECT DESCRIPTION:**  
NEW TWO STORY ADDITION TO AN EXISTING RESIDENCE.

**PROJECT NAME:**  
MEYER ADDITION  
18047 WILD HORSE CREEK ROAD  
CHESTERFIELD, MO, 63005  
(314) 616-5229

**OWNERS:**  
LISA & COREY MEYER  
18047 WILD HORSE CREEK ROAD  
CHESTERFIELD, MO, 63005  
(314) 616-5229

**ARCHITECT:**  
KILLEEN STUDIO ARCHITECTS  
3015 SALENA ST.  
ST. LOUIS, MO 63118  
(314) 771-0883  
CONTACT: LEIGH HALSEY

**CONTRACTOR:**  
BARRON CONSTRUCTION  
7730 LILE AVENUE  
ST. LOUIS, MO 63117  
(314) 574-7746  
CONTACT: MIKE BARRON

**HISTORIC DISTRICT:** NONE

**FLOOD PLAIN:** NONE

**USE GROUPS:** R-3

**ZONING:** NU - Non-Urban District

**CONSTRUCTION TYPE:** VB

**ALLOWABLE HEIGHT:** 3 STORIES (40'-0")

**ACTUAL HEIGHT:** 28'-2"

**ALLOWABLE AREA:** UNLIMITED

**ACTUAL AREA:** 2,798.17 SF (FOOTPRINT)

<b>EXISTING BASEMENT FLOOR:</b>	1,345.96 SF
<b>BASEMENT ADDITION:</b>	1,059 SF
<b>TOTAL BASEMENT FLOOR:</b>	2,404.96 SF
<b>EXISTING 1ST FLOOR:</b>	1,222.34 SF
<b>1ST FLOOR ADDITION:</b>	1,420.59 SF
<b>TOTAL 1ST FLOOR:</b>	2,642.93 SF
<b>EXISTING 2ND FLOOR:</b>	988.89 SF
<b>2ND FLOOR ADDITION:</b>	1,289.54 SF
<b>TOTAL 2ND FLOOR:</b>	2,228.43 SF

**SITE PLAN LEGEND**

	EXIST. BOULDER WALL LOCATION TO BE REMOVED
	AREA OF NEW ROOF
	AREA OF ADDITION
	TEMPORARY ROAD AND LOT



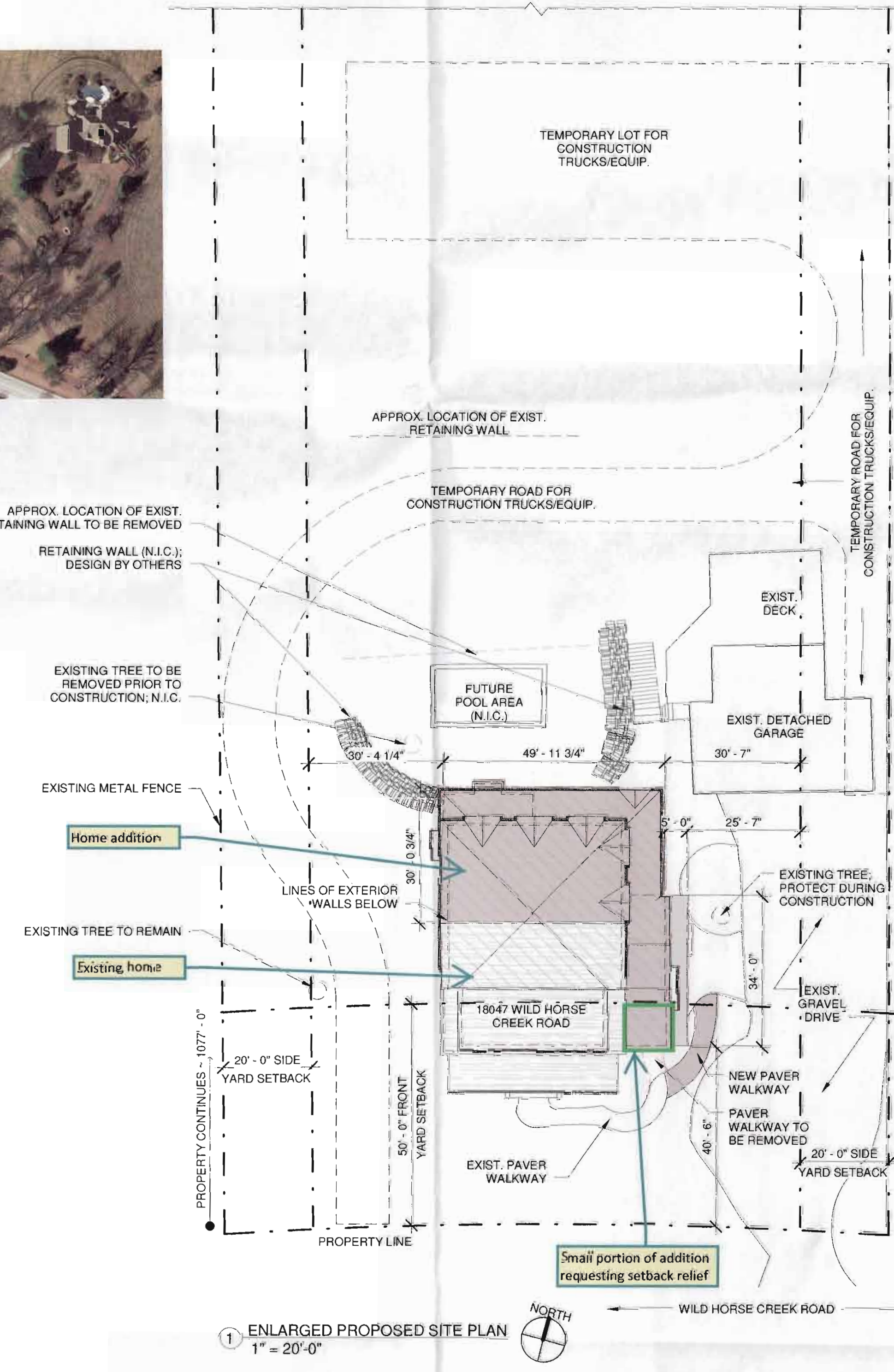
Residential Addition to:  
18047 Wild Horse Creek Road, Chesterfield, MO



3 PERSPECTIVE OF NEW ENTRY



Meyer Residence



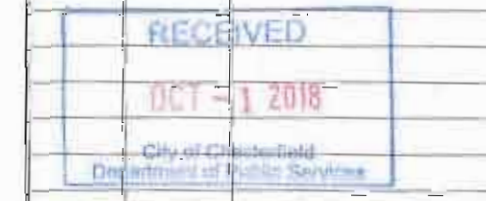
1 ENLARGED PROPOSED SITE PLAN  
1" = 20'-0"

**KILLEEN STUDIO ARCHITECTS**  
3015 Salena Street  
St. Louis, MO 63118  
314.771.0883

MO SEAL #: A-7597

ADDITION TO MEYERS RESIDENCE  
18047 WILD HORSE CREEK ROAD  
CHESTERFIELD, MO 63005

REV.	DATE	DESCRIPTION
1	9/25/18	PERMIT SET
2	9/28/18	for Board of Adjustment



SHEET NO.

**A0.0**

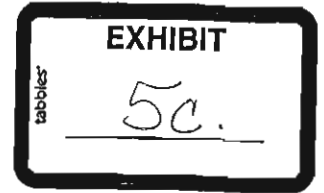
Cover Sheet  
and Site Plan  
Pg. 1 of 1





18047 WILD HORSE CREEK RD., CHESTERFIELD, MO 63005

Communique from City of Chesterfield regarding DENIAL of original submittal:



**From:** Kristine Kelley <KKelley@chesterfield.mo.us>  
**Date:** September 27, 2018 at 1:46:28 PM CDT  
**To:** "lisakmeyer76@gmail.com" <lisakmeyer76@gmail.com>  
**Cc:** Joseph Knight <JKnight@chesterfield.mo.us>  
**Subject:** RE: Municipal Zoning Application MZA\_180870

Project Location: 18047 WILD HORSE CREEK RD  
Work: Addition  
Application Status: Rejected

Your application cannot be approved based on: The addition encroaches on the 50' setback.

Please pick up your rejected copies from the front desk at City Hall.

Kristine Kelley  
Planning Technician  
City of Chesterfield  
690 Chesterfield Parkway W  
Chesterfield, MO 63017  
Phone: (636) 537-4748

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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 presence of viruses. The City of Chesterfield accepts no liability for any damage caused by any virus transmitted by this email.

October 3, 2018



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

Subject: 18047 Wild Horse Creek Rd, Lisa and Corey Meyer Residence

Hello Ms. Henry,

The purpose of my contacting you is because I understand that Lisa and Corey Meyer, residing at 18047 Wild Horse Creek Road would like to build an addition to their home. Apparently a small portion of the addition is proposed to be built over the 50 foot Wild Horse Creek Road setback and they will require a zoning variance for construction to begin.

The Meyers have sent to me the architect designs including the site plan, elevations and exterior renderings of their proposed addition. No doubt this addition will be enjoyable for their family as well as improve their property value and that of their neighbors.

As their next door neighbor, residing at 17945 Wild Horse Creek Road and owning 25 plus acres adjacent to their property, I fully support their wish to build the proposed addition. Please let this letter serve as recommendation to support the zoning variance.

Please feel free to contact me if you have any questions.

Regards,

A handwritten signature in black ink that reads "ROBERT L. MONTGOMERY". The signature is stylized and written in all caps.

Robert L. Montgomery  
Chairman, Reliv International, Inc.  
17945 Wild Horse Creek Road  
Chesterfield, MO 63005  
636-733-1326  
[rlm@relivinc.com](mailto:rlm@relivinc.com)

CC Corey and Lisa Meyer  
18047 Wild Horse Creek Rd  
Chesterfield, MO 63005



Board of Adjustment  
City of Chesterfield, Missouri

Corey Meyer and Lisa Moore  
18047 Wild Horse Creek Rd  
Chesterfield, MO 63005

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**FINDINGS OF FACT AND CONCLUSIONS OF LAW  
REGARDING THE VARIANCE REQUEST APPLICATION (B.A. 02-2018)  
FOR THE PROPERTY LOCATED AT 18047 WILD HORSE CREEK ROAD**

COMES NOW, the Board of Adjustment (the "Board") of the City of Chesterfield, Missouri, (the "City") and hereby issues the following Findings of Fact and Conclusions of Law approving the Variance request (B.A. 02-2018) submitted on behalf of Corey Meyer and Lisa Moore:

**FINDINGS OF FACT**

1. That on October 1, 2018, Corey Meyer and Lisa Moore (the "Applicants"), submitted a request for Variance (B.A. 02-2018) approval that would allow part of a proposed residential addition to be constructed within the required fifty foot (50') front setback area, per the City of Chesterfield Unified Development Code, on their property within the "NU" Non-Urban Zoning District located at 18047 Wild Horse Creek Road, Chesterfield, MO. Said Variance request was an appeal of the City's Zoning Code and application by the City's Zoning Officer.
2. That on October 1, 2018, the applicant submitted a check for the Variance application fee to the City of Chesterfield.
3. That on October 26, 2018 a Public Hearing notice appeared in The Countian, a newspaper qualified to publish legal notices in St. Louis County, Missouri, stating that a Public Hearing would be held by the Board of Adjustment of the City at 6:00 p.m., November 1, 2018, at City Hall, 690 Chesterfield Parkway West, Chesterfield, Missouri, for the purpose of considering and making findings and recommendations in regards to a request by the applicant to allow part of a proposed residential addition to be within the required 50' front setback area per the City of Chesterfield Unified Development Code on their property located within the "NU" Non-Urban Zoning District located at 18047 Wild Horse Creek Road, Chesterfield, MO.

4. That on October 24, 2018 a notification was mailed by certified U.S. Mail to property owners and all adjacent property owners of 18047 Wild Horse Creek Road, informing them that the Board of Adjustment of the City of Chesterfield would hold a Public Hearing at 6:00 p.m., on November 1, 2018 to consider Applicant's request for a variance.
5. That on October 24, 2018 the Public Hearing Notice for the November 1, 2018 Board of Adjustment meeting to be held at 6:00 p.m. at City Hall, 690 Chesterfield Parkway West, Chesterfield, Missouri was posted in the front lobby of City Hall.
6. That on November 1, 2018 a Public Hearing was held by the Board of Adjustment to consider Applicant's request for a variance. At that time the Applicants, Corey Meyer and Lisa Moore, were present at the Public Hearing to present their request for Variance approval to the Board of Adjustment.
7. That on November 1, 2018 the Board of Adjustment voted \_\_\_ to \_\_\_ to approve the Applicant's request for a variance. The motion failed to receive the required statutory majority to approve the variance, pursuant 89.090 RSMo.

### **CONCLUSIONS OF LAW**

WHEREFORE, the Board of Adjustment of the City of Chesterfield, Missouri, does hereby find and conclude the following as a matter of law:

1. That Applicant filed a request for a variance pursuant to §2-211—§2-220.3 of the Municipal Code of the City and §89.100 RSMo.
2. That at the Public Hearing held on November 1, 2018 the Board of Adjustment made the following conclusions of law, pursuant to §2-211—§2-220.3 of the Municipal Code:
3. That the Applicant has not shown that special conditions or circumstances exist which are peculiar to the land, structure or building involved and that the conditions or circumstances of the Applicant are applicable to other lands, structures or buildings; and,
4. That literal interpretations of the provisions of the applicable chapter of City Code would not deprive the Applicant of rights commonly enjoyed by other properties; and,
5. That the special conditions of the Applicant are a direct result of the actions of the Applicant; and,

6. That granting the variance requested by the Applicant would confer on the Applicant special privileges that are denied to owners of other lands, structures and buildings in the same district.
7. That no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts were considered as the grounds for approving this variance.
8. That Applicant has failed to show practical difficulties or unnecessary hardship related to the Applicant's request for a variance.
9. That Applicant's request for a variance is hereby **DENIED** under authority §2-211—§2-220.3, et seq. of the Municipal Code and §89.100 RSMo, et seq.

So Ordered,

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Chairman, Board of Adjustment

ATTEST:

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Kathy Reiter  
Executive Assistant to the Director of Planning and Development Services



4. That on October 24, 2018 a notification was mailed by certified U.S. Mail to property owners and all adjacent property owners of 18047 Wild Horse Creek Road, informing them that the Board of Adjustment of the City of Chesterfield would hold a Public Hearing at 6:00 p.m., on November 1, 2018 to consider Applicant's request for a variance.
5. That on October 24, 2018 the Public Hearing Notice for the November 1, 2018 Board of Adjustment meeting to be held at 6:00 p.m. at City Hall, 690 Chesterfield Parkway West, Chesterfield, Missouri was posted in the front lobby of City Hall.
6. That on November 1, 2018 a Public Hearing was held by the Board of Adjustment to consider Applicant's request for a variance. At that time the Applicants, Corey Meyer and Lisa Moore, were present at the Public Hearing to present their request for Variance approval to the Board of Adjustment.
7. That on November 1, 2018 the Board of Adjustment voted \_\_\_ to \_\_\_ to approve the Applicant's request for a variance. The motion received the required statutory majority to approve the variance, pursuant 89.090 RSMo.

### **CONCLUSIONS OF LAW**

WHEREFORE, the Board of Adjustment of the City of Chesterfield, Missouri, does hereby find and conclude the following as a matter of law:

1. That Applicant filed a request for a variance pursuant to §2-211—§2-220.3 of the Municipal Code of the City and §89.100 RSMo.
2. That at the Public Hearing held on November 1, 2018 the Board of Adjustment made the following conclusions of law, pursuant to §2-211—§2-220.3 of the Municipal Code:
3. That the Applicant has shown that special conditions or circumstances exist which are peculiar to the land, structure or building involved and that the conditions or circumstances of the Applicant are not applicable to other lands, structures or buildings; and,
4. That literal interpretations of the provisions of the applicable chapter of City Code would deprive the Applicant of rights commonly enjoyed by other properties; and,
5. That the special conditions of the Applicant are not a direct result of the actions of the Applicant; and,



6. That granting the variance requested by the Applicant would not confer on the Applicant special privileges that are denied to owners of other lands, structures and buildings in the same district.
7. That no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts were considered as the grounds for approving this variance.
8. That Applicant has shown practical difficulties or unnecessary hardship related to the Applicant's request for a variance.
9. That Applicant's request for a variance is hereby **APPROVED** under authority §2-211—§2-220.3, et seq. of the Municipal Code and §89.100 RSMo, et seq.

So Ordered,

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Chairman, Board of Adjustment

ATTEST:

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Kathy Reiter  
Executive Assistant to the Director of Planning and Development Services