

**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 4, 2021 at 6:00 p.m. in the Council Chambers at Chesterfield City Hall, 690 Chesterfield Parkway West, Chesterfield Missouri 63017.

The Board will consider the following:

B.A. 01-2021 1933 Mistflower Glen Court (Jeffrey and Duanne Galmiche): A request for a variance from Plat One for Lot 9 of the Forest Meadows subdivision to maintain a rear yard setback of 10 feet in lieu of the 15 foot setback requirement. (19T320183).



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 Mike Knight, Assistant City Planner by telephone at 636-537-4736 or by email at jknight@chesterfield.mo.us.

City of Chesterfield
Mike Knight
Assistant City Planner



I.V.A.

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

Board of Adjustment Staff Report

Variance Type: Yard

Meeting Date: November 4th, 2021

From: Mike Knight, Assistant City Planner

Location: 1933 Mistflower Glen Court

Applicant: Jeff and Duanne Galmiche

Description: **B.A. 01-2021 1933 Mistflower Glen Court (Jeff and Duanne Galmiche)**: A request for a variance from Plat One for Lot 9 of the Forest Meadows subdivision to maintain a rear yard setback of 10 feet in lieu of the 15 foot setback requirement. (19T320183).

PROPOSAL SUMMARY

Jeff and Duanne Galmiche are requesting a variance from the minimum rear yard setback requirement required for their property. The aforementioned property is Lot 9 of the Forest Meadows Subdivision. The required rear yard setback is 15 feet in which they are requesting a 10 foot rear yard setback to accommodate a new detached garage.

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 application for Municipal Zoning Approval, that was rejected by the Department of Planning, and which includes letters of support from some of the neighboring property owners.

SITE HISTORY

The Forest Meadows subdivision was zoned “R-1” and “R-1A” Residence District with a Planned Environment Unit in 1983 via St. Louis County Ordinance 11,031. The ordinance was amended in 1985 creating the current governing St. Louis County Ordinance 12,136. The amendment appears to be solely for the removal of a sidewalk requirement for the development along Clarkson Road and has no impact on this request.

The Forest Meadows subdivision consists of three separate plats (One, Two, and Three). Forest Meadows Plat One, which includes the subject lot, was approved in November of 1984 and the existing home was constructed in 1985 according to St. Louis County Accessor records. Below is an image of Forest Meadows Plat One with the approximate location of three items called out. The three items are the subject site, the existing 15' rear yard setback and the proposed 10' rear yard setback solely for Lot 9.

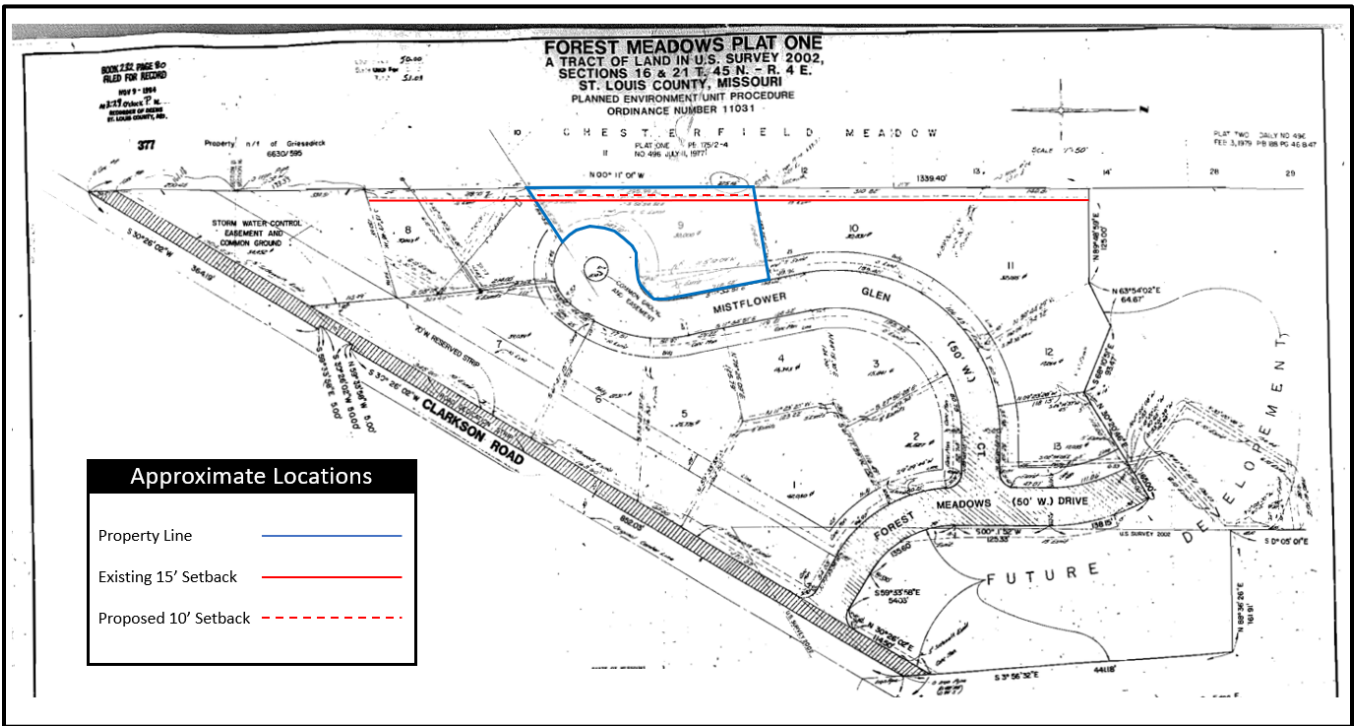


Figure 1: Excerpt from 1984 Record Plat with Approximate Setback Locations

REJECTED MUNICIPAL ZONING APPROVAL APPLICATION

In August of 2021, a Municipal Zoning Approval (MZA) application was submitted to the Department of Planning requesting to construct a new detached garage on the subject site. The proposed construction showed an encroachment into the required rear yard setback and the request was therefore denied. On the following page is an image of the rejected MZA.

It is important to note that there were other items besides the rear yard setback that are required to be addressed before the MZA would be able to be approved. Items consist of, but are not limited to, a driveway that does not exceed the maximum width permitted by the Unified Development Code (UDC), amending the location of the front of the garage to not cross the building line and potentially providing a grading permit. If the variance would be approved, the applicant would have to resubmit a new MZA that meets all zoning ordinance and UDC requirements.

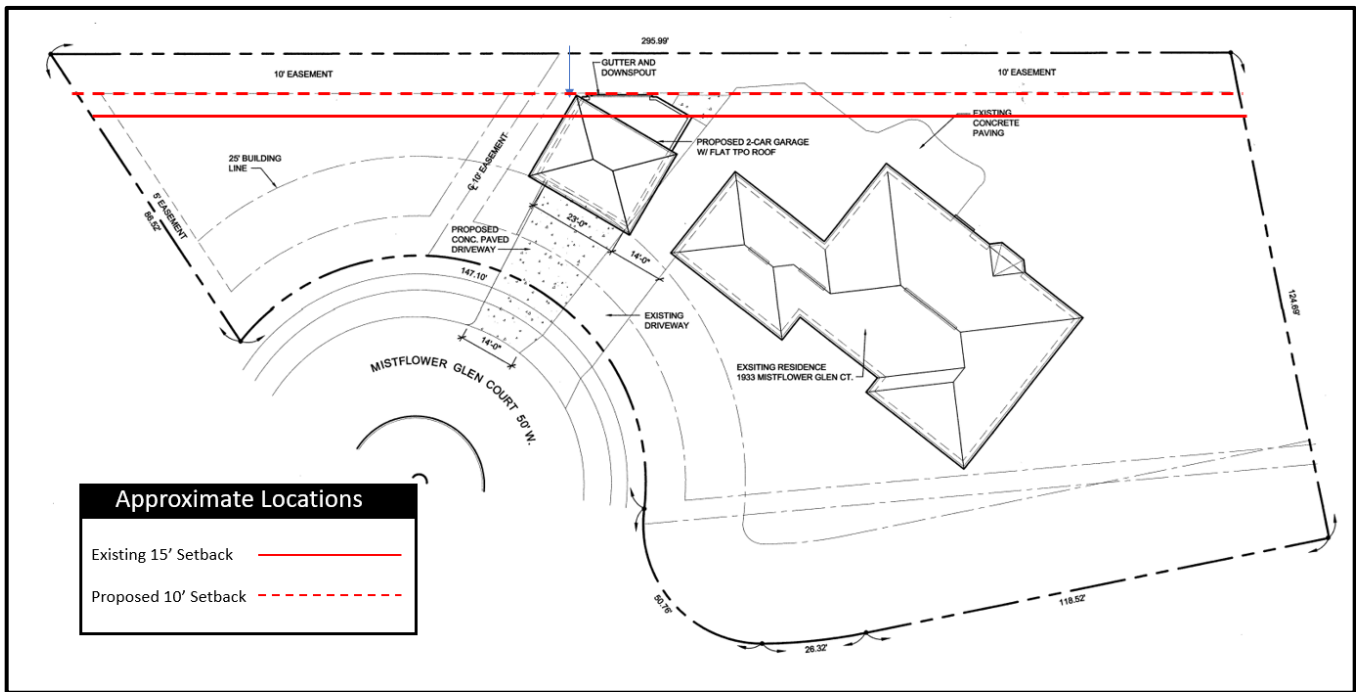


Figure 2: Excerpt from 1984 Record Plat with Approximate Setback Locations

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).

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. E.D. 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. W.D.,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 some of the adjoining property owners.

The Applicant is requesting a variance to maintain a 10-foot rear yard setback in lieu of the 15-foot rear yard setback requirement in order to accommodate the construction of a detached garage.

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 Plat One of the Forest Meadows subdivision, a minimum 15 foot rear yard setback is required for Lot 9. 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 detached garage to encroach 5 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. Some position letters indicating support from the adjoining property owners have been provided, no opposition letters have been provided and some adjoining properties have not provided correspondence.
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 a garage with modifications to its shape or size.
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 building 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. City of Chesterfield Zoning Ordinance (not in packet)
2. Notice of Publication
3. Affidavit of Publication (not in packet)
4. Staff Report
5. Copy of Recorded Record Plat
6. Petitioner's Application
 - a. Letters of Support from Multiple Adjacent Property Owners
 - b. Application to Board of Adjustment
 - c. Photos of Subject Site
 - d. Exhibit of Detached Garage Location
 - e. Rejected Application for Municipal Zoning Approval
7. Findings of Fact and Conclusions of Law—Denial
8. Findings of Fact and Conclusions of Law—Approval

BOOK 232 PAGE 80
FILED FOR RECORD
NOV 9 - 1984
At 2:27 O'clock P.M.
RECORDED OF DEEDS
ST. LOUIS COUNTY, MO.

50.00
51.01

FOREST MEADOWS PLAT ONE

A TRACT OF LAND IN U.S. SURVEY 2002,
SECTIONS 16 & 21 T. 45 N. - R. 4 E.
ST. LOUIS COUNTY, MISSOURI
PLANNED ENVIRONMENT UNIT PROCEDURE
ORDINANCE NUMBER 11031

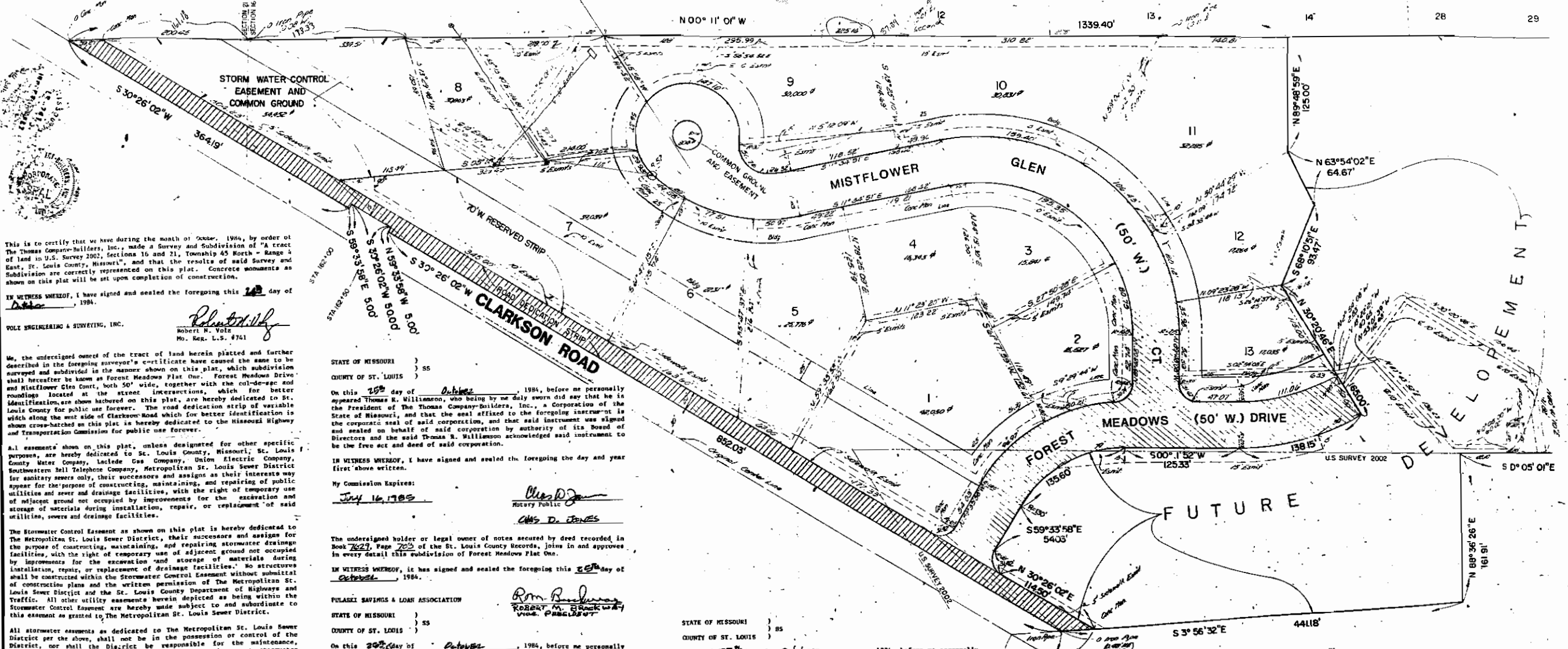
CHESTERFIELD MEADOW

PLAT ONE PE 175/2-4
NO 496 JULY 11, 1977



PLAT TWO DAILY NO 496
FEB 3, 1979 P.B. 188 PG 46 8.47

371 Property n/1 of Griesedick
6630/595



This is to certify that we have during the month of October, 1984, by order of The Thomas Company-Builders, Inc., made a Survey and Subdivision of a tract of land in U.S. Survey 2002, Sections 16 and 21, Township 45 North & Range 4 East, St. Louis County, Missouri, and that the results of said Survey and Subdivision are correctly represented on this plat. Concrete monuments as shown on this plat will be set upon completion of construction.

IN WITNESS WHEREOF, I have signed and sealed the foregoing this 14th day of October, 1984.
VOLZ ENGINEERING & SURVEYING, INC.
Robert M. Volz
Mo. Reg. L.S. #761

We, the undersigned owners of the tract of land herein platted and further described in the foregoing surveyor's certificate have caused the same to be surveyed and subdivided in the manner shown on this plat, which subdivision shall hereafter be known as Forest Meadows Plat One. Forest Meadows Drive and Mistflower Glen Court, both 50' wide, together with the cul-de-sac and roundings located at the street intersections, which for better identification, are shown hereon on this plat, are hereby dedicated to St. Louis County for public use forever. The road dedication strip of variable width along the west side of Clarkson Road which for better identification is shown cross-hatched on this plat is hereby dedicated to the Missouri Highway and Transportation Commission for public use forever.

All easements shown on this plat, unless designated for other specific purposes, are hereby dedicated to St. Louis County, Missouri, St. Louis County Water Company, Lucide Gas Company, Union Electric Company, Southwestern Bell Telephone Company, Metropolitan St. Louis Sewer District for sanitary sewers only, their successors and assigns as their interests may appear for the purpose of constructing, maintaining, and repairing of public utilities and sewer and drainage facilities, with the right of temporary use of adjacent ground not occupied by improvements for the excavation and storage of materials during installation, repair, or replacement of said utilities, sewers and drainage facilities.

The Stormwater Control Easement as shown on this plat is hereby dedicated to the Metropolitan St. Louis Sewer District, their successors and assigns for the purpose of constructing, maintaining, and repairing stormwater drainage facilities, with the right of temporary use of adjacent ground not occupied by improvements for the excavation and storage of materials during installation, repair, or replacement of drainage facilities. No structures shall be constructed within the Stormwater Control Easement without submittal of construction plans and the written permission of the Metropolitan St. Louis Sewer District and the St. Louis County Department of Highways and Traffic. All other utility easements herein depicted as being within the Stormwater Control Easement are hereby made subject to and subordinate to this easement as granted to the Metropolitan St. Louis Sewer District.

All stormwater easements as dedicated to the Metropolitan St. Louis Sewer District per the above, shall not be in the possession or control of the District, nor shall the District be responsible for the maintenance, inspection, alteration, repair, operation, removal or any stormwater drainage system until it accepts said easement for dedication.

The 5' wide sidewalk easement abutting the Missouri State Highway Department right-of-way is hereby dedicated to St. Louis County, Missouri, for public use forever, and said sidewalk is to be maintained by the property owners or Trustees of Forest Meadows Subdivision.

All common ground easements, such as cul-de-sac islands, are hereby dedicated to the Trustees of the aforementioned subdivision for landscape maintenance. However, no above ground structure, other than required street lights or other public utilities in accordance with the approved improvement plans may be constructed or installed within a cul-de-sac island without authorization by the St. Louis County Department of Highways and Traffic through the issuance of a Special Use Permit.

Building lines as shown on this plat are hereby established. This subdivision is subject to conditions and restrictions filed in Book 162, Page 159 of the St. Louis County Records.

It is hereby certified that all existing easements are shown on this plat as of the time and date of recording of this plat.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of October, 1984.
THE THOMAS COMPANY-BUILDERS, INC.
Thomas K. Williamson
President

STATE OF MISSOURI)
COUNTY OF ST. LOUIS) SS

On this 14th day of October, 1984, before me personally appeared Thomas K. Williamson, who being by me duly sworn did say that he is the President of The Thomas Company-Builders, Inc., a Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and the said Thomas K. Williamson acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have signed and sealed the foregoing the day and year first above written.

My Commission Expires: July 16, 1985
Notary Public
CHAS. D. JONES

The undersigned holder or legal owner of notes secured by deed recorded in Book 762, Page 703 of the St. Louis County Records, joins in and approves in every detail this subdivision of Forest Meadows Plat One.

IN WITNESS WHEREOF, it has signed and sealed the foregoing this 14th day of October, 1984.

PULASKI SAVINGS & LOAN ASSOCIATION
STATE OF MISSOURI)
COUNTY OF ST. LOUIS) SS

On this 25th day of October, 1984, before me personally appeared Robert M. Brockway, who being by me duly sworn did say that he is the Vice-President of Pulaski Savings & Loan Association, a Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and the said Robert M. Brockway acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have signed and sealed the foregoing the day and year first above written.

My Commission Expires: July 16, 1985
Notary Public
CHAS. D. JONES

The undersigned holder or legal owner of notes secured by deed recorded in Book 762, Page 766 of the St. Louis County Records, joins in and approves in every detail this subdivision of Forest Meadows Plat One.

IN WITNESS WHEREOF, it has signed and sealed the foregoing this 25th day of October, 1984.

HIGHLAND FINANCIAL, INC.
Walter U. Bolliger, President

STATE OF MISSOURI)
COUNTY OF ST. LOUIS) SS

On this 25th day of October, 1984, before me personally appeared Walter U. Bolliger, who being by me duly sworn did say that he is the President of Highland Financial, Inc., a Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and the said Walter U. Bolliger acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have signed and sealed the foregoing the day and year first above written.

My Commission Expires: July 16, 1985
Notary Public
CHAS. D. JONES

This is to certify that this subdivision plat of Forest Meadows Plat One has been approved by the St. Louis County Council on this 18th day of November, 1984.

ST. LOUIS COUNTY DEPARTMENT OF PLANNING
Donald E. Clark
Director of Planning
11/2/84

Property n/1 of Koehel, William H. & Edna E.
2949/77

THIS PLAT CONTAINS 10.670 ACRES

VOLZ ENGINEERING AND SURVEYING, INC.
ELBRING SURVEYING COMPANY
A SUBSIDIARY
LAND SURVEYORS - ENGINEERS - LAND PLANNERS
10849 INDIAN HEAD INDL. BLVD.
ST. LOUIS, MISSOURI 63132
PHONE 314-426-6212
84-1135

31

POOR ORIGINAL

The Galmiche Family at 1933 Mistflower Glen Court, would like a lot variance for rear

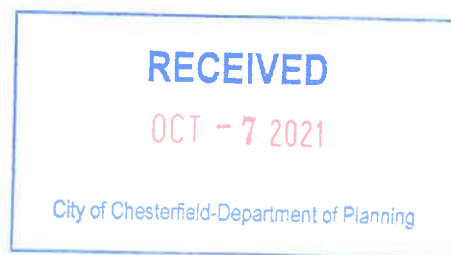
Set back from 15' to 10' in order to construct a detached garage.

We have no objections:

Name: Ellie Eggers

Address: 1928 Mistflower Glen Ct

Signature: Ellie Eggers



The Galmiche Family at 1933 Mistflower Glen Court, would like a lot variance for rear

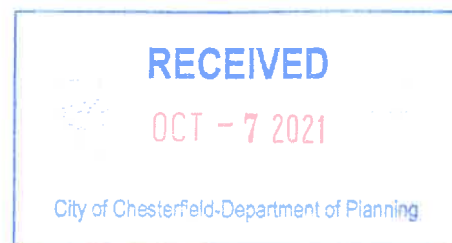
Set back from 15' to 10' in order to construct a detached garage.

We have no objections:

Name: Douglas + Karin Bentele

Address: 1940 Mistflower Glen Ct. Chesterfield

Signature: Doug Bentele Karin Bentele



The Galmiche Family at 1933 Mistflower Glen Court, would like a lot variance for rear

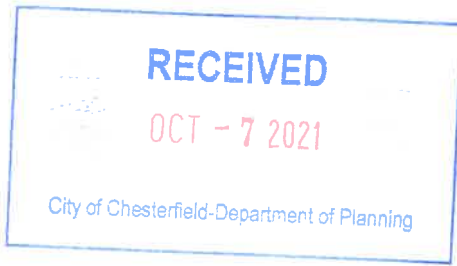
Set back from 15' to 10' in order to construct a detached garage.

We have no objections:

Name:  **PETER DRISCOLL**

Address: 1915 Mistflower

Signature: 





City of Chesterfield

RECEIVED

OCT - 7 2021

DEPARTMENT OF PLANNING

City of Chesterfield-Department of Planning

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 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

B.A. 01-2021

HEARING DATE

11/4/2021

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: DYANNE ALICE REVOCABLE LIVING TRUST

Address: 1938 MISTFLOWER GLEN CT

City: CHESTERFIELD State: MO Zip: 63005

Tel.: 314 220 4985 JEFF Fax: _____

Petitioner, if other than owner(s): SAME

Address: _____

City: _____ State: _____ Zip: _____

Tel.: _____ Fax: _____

Legal Interest: _____

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

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

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

II. PROPERTY INFORMATION

Project Address: 1933 WEST FLOWER GLEN CT

Locator Number(s): 19T320183

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

Acreage: .69 (To the nearest tenth of an acre)

Subdivision Name (If applicable): CHESTERFIELD MEADOWS

Current Zoning District: CHESTERFIELD

Legal Description of Property:

FOREST MEADOWS PLAT ONE 12-31-84
DEED DOCUMENT # 2021052800412
LOT # 9 WARD 4

(Attach additional sheets as necessary)

III. NATURE OF REQUEST FOR VARIANCE

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

(Attach additional sheets as necessary)

Description of the necessity of the proposed improvement:

ADD DETACHED GARAGE

Ordinance Number and section to which a variance is sought:

LAND USE CODE 110

(Attach additional sheets as necessary)

Do deed restrictions or subdivision trust indentures for the property prohibit the use or construction which is requested by this petition? Check (✓) one [] Yes [X] No

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

REQUEST FOR REAR SET BACK VARIANCE 15' TO 10'
IN ORDER TO CONSTRUCT DETACH GARAGE,
THIS IS A VERY IRREGULAR LOT, VERY
WIDE BUT SHALLOW.

THIS ON A CUL-DE-SAC WITH LIMITED
STREET PARKING FOR A PICKUP TRUCK.

(Attach additional sheets as necessary)

Description of the effect or impact on neighboring properties:

NONE

(Attach additional sheets as necessary)

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

A. Setbacks/Height:

| | The Petitioner(s) request the following setback(s): | City of Chesterfield Regulations require the following setback(s) for this site: |
|--------------------|--|---|
| Front Yard: | _____ | _____ |
| Side Yard: | _____ | _____ |
| Rear Yard: | _____ 10' _____ | _____ 15' _____ |
| Height: | _____ | _____ |

Provide the following:

1. A \$70.00 fee. (Checks/money orders to be made payable to the City of Chesterfield)
2. Two completed copies of this application with original signatures. *Please note: A copy with the Chairman's signature and the Board's decision will be returned to you.*
3. 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

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: _____

N/A

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.

N/A

Provide the following:

- 1. A \$70.00 fee. (Checks/money orders to be made payable to the City of Chesterfield.)
2. Two completed copies of this application with original signatures. *Please note: A copy with the Chairman's signature and the Board's decision will be returned to you.*
3. 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.
- 2 → Copies of the completed application.
- The City of Chesterfield rejection or denial.
- Any other information as required by the City of Chesterfield

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

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 JEFF GAMICHE (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)

Duane Gamiche
(Name- type, stamp or print clearly)

(Name of Firm)

Note: Attach additional sheets as necessary.

Duane Gamiche
(Signature)

1938 WEST FLOWER GLEN CT
(Address, City, State, Zip)
CHESTERFIELD MO 63005

NOTARY PUBLIC INFORMATION: STATE OF MISSOURI, CITY OF CHESTERFIELD

The foregoing instrument was subscribed and sworn to before me this 27th day of Sept. 20 2020.

Signed Laura M. Sheppard Print Name: Laura M. Sheppard
Notary Public

Seal/Stamp:

My Commission Expires: February 5, 2023

LAURA M. SHEPPERD
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Louis County
My Commission Expires: February 05, 2023
Commission Number: 14629663

VI. AFFIDAVIT OF COMPLETENESS AND ACCURACY

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

Project Name: 1933 MISTFLOWER GLEN CT Submittal Date: 10-1-21

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. [X] I am the contract purchaser. [] I am the duly appointed agent of the petitioner.

JEFF GALMICHE (Name- type, stamp or print clearly)

(Signature) [Handwritten Signature]

OWNER (Name of Firm)

1933 MISTFLOWER GLEN CT (Address, City, State, Zip) 63005

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 27th day of Sept. 2021.

Signed Laura M. Shepperd Notary Public Print Name: Laura M. Shepperd

Seal/Stamp:

My Commission Expires: February 5, 2023

LAURA M. SHEPPERD Notary Public - Notary Seal State of Missouri Commissioned for St. Louis County My Commission Expires: February 05, 2023 Commission Number: 14629663

STAFF / BOA USE ONLY

Intake Date: October 7, 2021

This petition is granted / denied (circle one) on the 4th day of November 20 21

Signed: _____
Chairman

[THIS PAGE FOR INTERNAL USE]

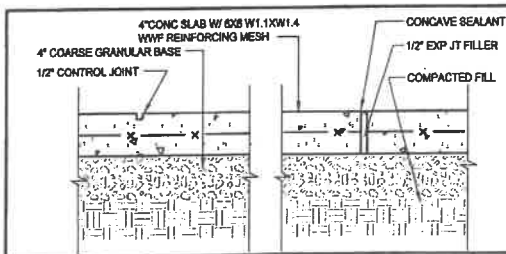
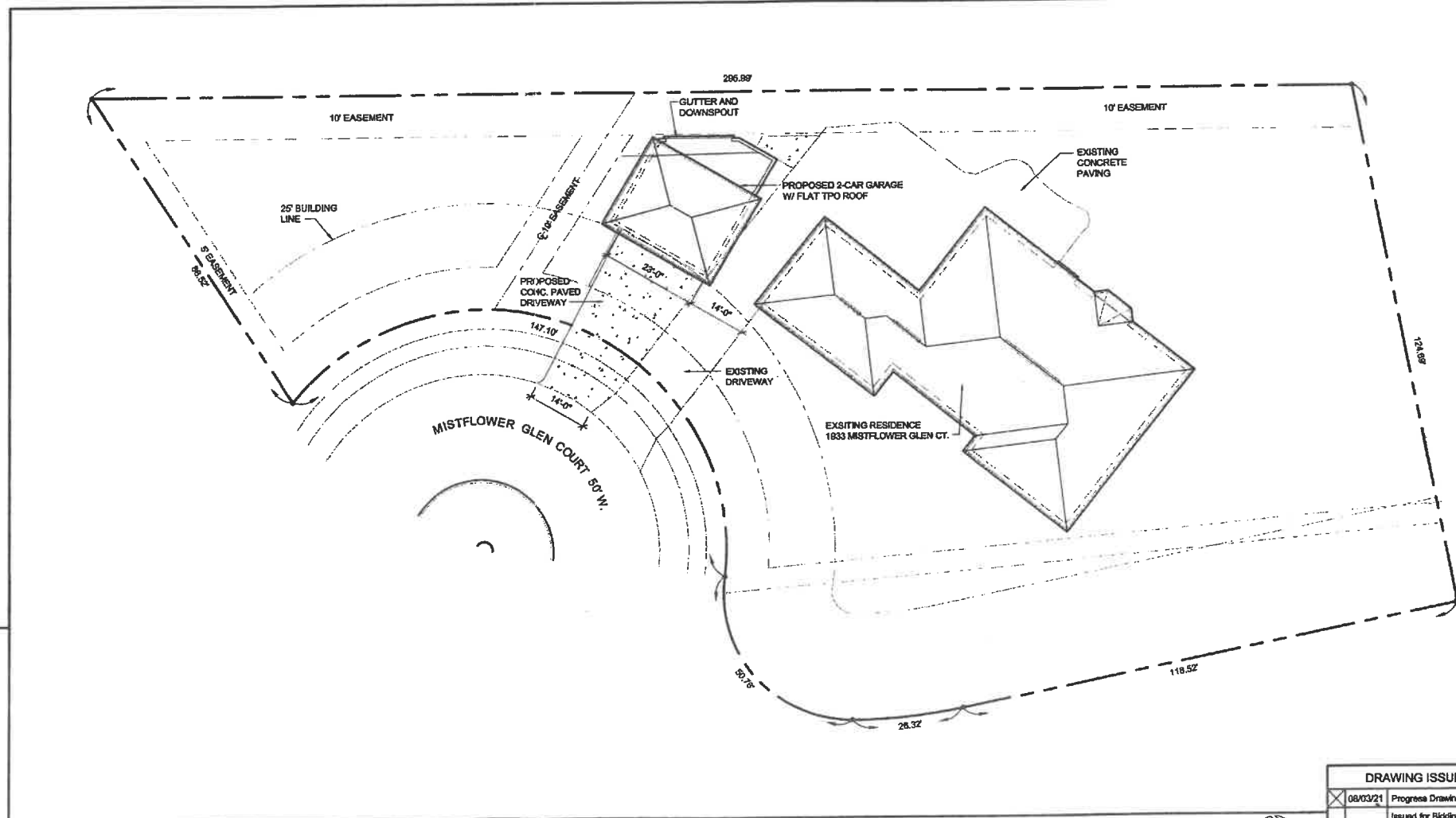


GENERAL NOTES

1. ANY ITEMS NOTED TO REMAIN THAT ARE DAMAGED DURING DEMOLITION OF EXISTING WORK OR CONSTRUCTION OF NEW WORK SHALL BE REPAIRED AND/OR REPLACED TO MATCH EXISTING AT NO COST TO OWNER.
2. INFORMATION PROVIDED DOES NOT RELIEVE THE CONTRACTOR OF RESPONSIBILITY TO FIELD VERIFY ACTUAL QUANTITIES, DIMENSIONS AND CONDITIONS.
3. ALL WORK SHALL COMPLY WITH APPLICABLE LOCAL, STATE AND NATIONAL BUILDING CODES.
4. ALL WORK OF EVERY CHARACTER SHALL BE LAID OUT BY THE CONTRACTOR WHO SHALL BE RESPONSIBLE FOR THE CORRECT FIT OF ALL WORK AND SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AT THE BUILDING SITE PRIOR TO CONSTRUCTION.
5. THE CONTRACTOR SHALL CONTACT THE RESPECTIVE UTILITY COMPANIES AT THE TIME OF CONSTRUCTION TO VERIFY EXACT LOCATIONS, INFORMATION, AND/OR CHANGES OR ADDITIONS.
6. ALL EXISTING LOOSE DEBRIS AND ANY ADDITIONAL FIXED AND/OR LOOSE ITEMS WHICH INTERFERE WITH THE COMPLETION OF THE WORK SHALL BE REMOVED FROM SITE LEVELING AND EXCAVATING SHALL ALSO BE REMOVED.
7. DO NOT SCALE DRAWINGS. FOLLOW WRITTEN DIMENSIONS ONLY.
8. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AT THE SITE. THE ARCHITECT SHALL BE NOTIFIED OF ANY DISCREPANCIES BETWEEN THE DOCUMENTS AND ACTUAL SITE CONDITIONS PRIOR TO PROCEEDING WITH ANY WORK.
9. CONTRACTOR SHALL VERIFY THAT ALL NEW WORK IS COORDINATED WITH DEMOLITION WORK OF THIS PROJECT AND IS RESPONSIBLE FOR THE INCLUSION OF ALL WORK REQUIRED TO COMPLETE THE REQUIRED / INDICATED SCOPE.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REGRADING TO ELIMINATE DEPRESSIONS ON THE SITE THAT CAUSE WATER TO POND.
11. CONTRACTOR SHALL SUBMIT SEALED TRUSS DRAWINGS TO THE CITY FOR APPROVAL.

RECEIVED
OCT - 7 2021
 City of Chesterfield - Department of Planning

REJECT



2 TYPICAL CONCRETE PAVING DETAIL CONTROL JOINT / EXPANSION JOINT
SCALE: 1 1/2" = 1'-0"

1 SITE PLAN
SCALE: 1/16" = 1'-0"

SEAL

Karl A. Grice A-4715
Sole Proprietor

Grice Group Architects
314.535.4826
4332 Lindell Boulevard
Saint Louis, Missouri 63108-2702

SHEET TITLE: SITE PLAN / DETAILS
NEW DETACHED 2-CAR GARAGE
GALMICHE RESIDENCE
1933 MISTFLOWER GLEN COURT
CHESTERFIELD, MISSOURI 63005

WHEN THIS DRAWING IS REPRODUCED AT ORIGINAL SCALE THIS BAR = 1 INCH

| REVISIONS | |
|-----------|-------------|
| DATE | DESCRIPTION |
| | |
| | |

DATE: AUGUST 3, 2021
SHEET NO: **C1.0**

| DRAWING ISSUE | |
|---------------|-------------------------|
| 08/03/21 | Progress Drawings |
| | Issued for Bidding |
| | Issued for Permit |
| | Issued for Construction |





City of Chesterfield
Municipal Zoning Application

Rejected

MZA_210855

Date: 8/9/2021

| Property Address | Subdivision | Lot |
|-------------------------|-------------------|-----|
| 1933 MISTFLOWER GLEN CT | 31 FOREST MEADOWS | 9 |

| Locator # | Ward | Date Received | Flood Plain |
|-----------|------|---------------|-------------|
| 19T320183 | 4 | 8 / 5 / 2021 | NO |

| Zoning Class | Type |
|--------------|--------|
| R1A | Garage |

| Property Owner | Tenant |
|----------------|--------|
| Jeff Galmiche | |

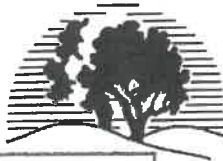
| Applicant |
|---------------|
| Jeff Galmiche |

Comments
 PHYSICAL LARGE PLAN SUBMITTL
 > Detached gargage - may require planning & engineering review.
 8/5/2021 - Complete - Kkelley - trustees were notified via email at 1:42 pm.
 8/9/2021 - Rejected - etelle - 12 foot side setbacks 15 foot rear setbacks are encroached upon

| | | | |
|---------------|----------|--------------|------------------------------------|
| Status | Rejected | 8 / 9 / 2021 | by Evan Telle, Planning Technician |
|---------------|----------|--------------|------------------------------------|

Evan Telle
signature

ADVISORY:
Applications for Municipal Zoning Approval that are not approved may be resubmitted once changes have been made. Please note that relief from some requirements, in the form of a variance, may be requested via application to the Board of Adjustment; please call the Department of Planning, Public Works and Parks at (636) 537-4746.



City of Chesterfield

RECEIVED

OCT - 7 2021

City of Chesterfield - Department of Planning

OFFICE USE ONLY

| | | |
|-----------------------------|-----------|---------|
| 0031 MZA #: 210855 | | |
| Locator #: | Zone: R1A | |
| Subdivision: Forest Meadows | | |
| Lot: 9 | Ward: 4 | Plat: 1 |

II. MUNICIPAL ZONING APPROVAL APPLICATION (MZA)

Please type or print legibly in ink, complete all parts, and sign and date application.
 Completed application and all other requirements must be submitted to the City of Chesterfield
 Department of Planning.

RECEIVED

AUG 5 - 2021

City of Chesterfield - Department of Planning

Project Address: 1933 MISTFLOWER GLEN CT Zip: 63005

Property Owner Name(s): JEFF GALMICHE

Property Owner Address (if different than above): _____

City: CHESTERFIELD State: MO. Zip: 63005

E-mail: JEFF.GALMICHE@GALMICHEANDSONS.COM

Tenant Name (if different than above): NA

Existing Tenant Proposed Tenant

Applicant Name: JEFF GALMICHE Attn: _____

Applicant Address: 1933 MISTFLOWER GLEN CT

City: CHESTERFIELD MO. State: MO. Zip: 63005

Phone Number: 314-220-4985 Fax: _____

E-mail: SAME

Description of Work: ADD DETACHED GARAGE

FOR EXTERIOR RESIDENTIAL WORK ONLY, PLEASE SIGN THE FOLLOWING:

As the Property Owner of the above-referenced address, I have notified all subdivision trustees and adjacent property owners of said application.

Jeff Galmiche
 Signature

I HEREBY CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION AND ACCOMPANYING PLANS IS TRUE AND CORRECT, AND THAT I WILL CONFORM TO ALL APPLICABLE LAWS OF THE CITY OF CHESTERFIELD AND ST. LOUIS COUNTY. (Note: Applicant or Tenant applying for Municipal Zoning Approval cannot sign on behalf of the Property Owner.)

PROPERTY OWNER SIGNATURE: Jeff Galmiche DATE: 8/4/21

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

4. That on October 29th, 2021, a notification was mailed by certified U.S. Mail to property owners and all adjacent property owners of 1933 Mistflower Glen Court informing them that the Board of Adjustment of the City of Chesterfield would hold a Public Hearing at 6:00 p.m., on November 4th, 2021 to consider Applicant's request for a variance.
5. That on October 29th, 2021, the Public Hearing Notice for the November 4th, 2021 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 4th, 2021, a Public Hearing was held by the Board of Adjustment to consider Applicant's request for a variance. At that time, the Applicant was present at the Public Hearing to present their request for Variance approval to the Board of Adjustment.
7. That on November 4th, 2021 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 to 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 4th, 2021 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,

Chairman, Board of Adjustment

ATTEST:

Kathy Reiter
Executive Assistant to the Director of Planning

4. That on October 29th, 2021, a notification was mailed by certified U.S. Mail to property owners and all adjacent property owners of 1933 Mistflower Glen Court informing them that the Board of Adjustment of the City of Chesterfield would hold a Public Hearing at 6:00 p.m., on November 4th, 2021 to consider Applicant's request for a variance.
5. That on October 29th, 2021, the Public Hearing Notice for the November 4th, 2021 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 4th, 2021, a Public Hearing was held by the Board of Adjustment to consider Applicant's request for a variance. At that time, the Applicant was present at the Public Hearing to present their request for Variance approval to the Board of Adjustment.
7. That on November 4th, 2021 the Board of Adjustment voted ___ to ___ to deny the Applicant's request for a variance. The motion received the required statutory majority to deny the variance, pursuant to 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 4th, 2021 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 denying 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,

Chairman, Board of Adjustment

ATTEST:

Kathy Reiter
Executive Assistant to the Director of Planning