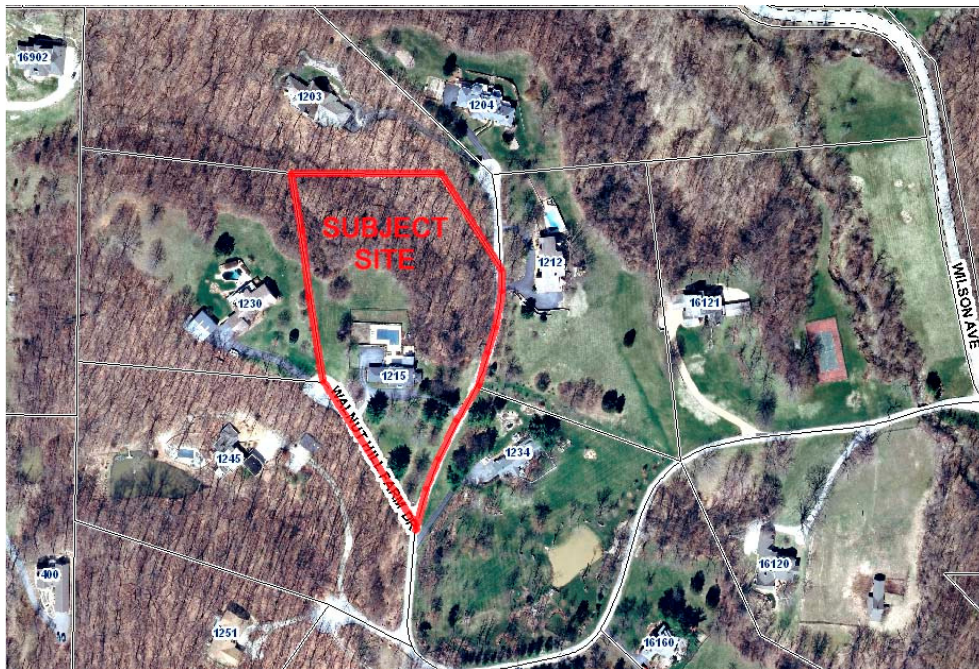


Board of Adjustment Staff Report

Meeting Date: November 5, 2009

From: Annissa McCaskill-Clay, AICP
Lead Senior Planner

Petition: **B.A. 02-2009 1215 Walnut Hill Farm Drive (c/o Lauren Strutman Architects)** A request for a variance from City of Chesterfield Zoning Ordinance Section 1003.105.7(3)(a) to permit an existing residence in Walnut Hill Farms subdivision to maintain a 45 foot front yard setback in lieu of the required 50 foot front yard setback. (18T120179)



Background

Timothy and Diane Schoen are the owners of a single family residence at 1215 Walnut Hill Farm Drive, which is located in the Walnut Hill Farms subdivision. Walnut Hills Farms subdivision was zoned "NU" Non-Urban District by St. Louis County prior to incorporation of the City of Chesterfield. Properties which are zoned "NU" Non-Urban District are governed

directly from requirements found in the City of Chesterfield Zoning Ordinance. In the development of Walnut Hill Farms Subdivision, a front yard setback for “NU” Non-Urban Districts of fifty (50) feet from the right-of-way of Walnut Hill Farm Drive was established. The Schoen residence was constructed in 1971 and encroaches on this setback. As a result, on October 5, 2009, the City of Chesterfield rejected a municipal zoning approval for an addition to the residence over the existing garage because it did not conform. The only relief from the established setbacks is a grant of variance from the Board of Adjustment.



Petitioner’s Request

See the petitioner’s attached Application to the Board of Adjustment for Variance.

Approval Criteria

1. In order to grant a variance, there must be proof that the applicant did not bring the burden upon himself through some action, but instead had the burden imposed on him.
2. 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).
3. The burden of proving the elements is on the applicant.

4. 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.
5. Section 2-216 of the City of Chesterfield Municipal code states that the Board of Adjustment shall have the following powers:
“To permit a variation in the yard requirements of any zoning district or the building or setback lines from major highways as provided by law where there are practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions, provided that such variance will not seriously affect any adjoining property or the general welfare of the public.”

Staff requests action by the Board of Adjustment on B.A. 02-2009 1215 Walnut Hill Farm Drive.

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
 - i. Application to Board of Adjustment
 - ii. Rejected Application
6. City of Chesterfield Zoning Ordinance Section 2003.105 (with .7(3)(a) highlighted)



City of Chesterfield

RECEIVED
OCT 14 2009

DEPT. OF PLANNING
PUBLIC WORKS

DEPARTMENT OF PLANNING AND PUBLIC WORKS

BOARD OF ADJUSTMENT APPLICATION

The Board of Adjustment is a local body consisting of volunteers appointed by the Mayor. The Board hears requests for variances and appeals of administrative determinations. A variance is deviation from the zoning ordinance requirements for a specific parcel. The types of variances heard before the Board of Adjustment are Use, Area, and Bulk Variances. A variance is granted only upon demonstration of a hardship such as lot size, topography, or other issues not created by the lot owner. For questions about this application, please contact the Department of Planning and Public Works at 636-537-4746. For information about this and other projects under review by the Department of Planning and Public Works, please visit "Planning Projects" at www.Chesterfield.mo.us.

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

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

STATE OF MISSOURI)
)
 CITY OF CHESTERFIELD)

ROA NUMBER
 HEARING DATE

02-2009
11-5-2009

Petition for Appeal from Zoning Regulations

I. APPLICANT INFORMATION

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

Record: Timothy and Diane Schoen
 Address: 1215 Walnut Hill Farm Drive
 City: Chesterfield State: MO Zip: 63005
 Tel.: 532-1192 Fax: _____

Petitioner, if other than owner(s): Lauren Strutman Architects
 Address: 16676 Old Chesterfield Road
 City: Chesterfield State: MO Zip: 63017
 Tel.: 636-537-0880 Fax: 636-537-1027

Legal Interest: Architect

(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: 1215 Walnut Hill Farm

Locator Number(s): 18T120179

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

Acreage: 4.1 (To the nearest tenth of an acre)

Subdivision Name (If applicable): Walnut Hills

Current Zoning District: NU

Legal Description of Property: Adjusted parcel 5 of the boundary adjustment plat of parcels 4 and 5 of a tract of land known as Walnut Hills plat book 346 page 336 St. Louis County Missouri

(Attach additional sheets as necessary)

III. NATURE OF REQUEST FOR VARIANCE

Unique physical characteristics of the lot (e.g., size, slope, etc.): The lot is on the corner of a private street, which has two yards facing Walnut Hill Farm Drive, producing two front yards. The front yard that produces the encroachment borders a cul-de-sac being used by only one other home.

(Attach additional sheets as necessary)

Description of the necessity of the proposed improvement: The existing home has 4 bedrooms, Tim and Diane have three children residing at the home. Diane's mother has had to move in with the family to receive medical treatment in St. Louis. The Schoens need to construct a new bedroom to accommodate their family

(Attach additional sheets as necessary)

Ordinance Number and section to which a variance is sought: NU - Non Urban

(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

Description of the effect or impact on neighboring properties:

The existing footprint of the home will not be enlarged: the second story addition above the garage will not have any adverse effect on neighboring properties

(Attach additional sheets as necessary)

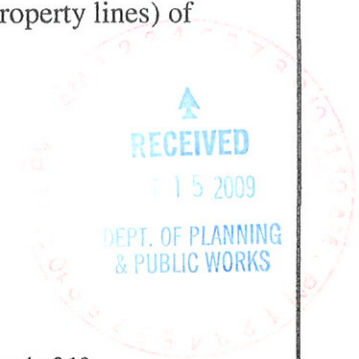
For Area or Bulk Variance Requests, complete the following section:

A. Setbacks/Height:

	The Petitioner(s) request the following setback(s):	City of Chesterfield Regulations require the following setback(s) for this site:
Front Yard:	45'-0"	50'
Side Yard:	20'	20'
Rear Yard:	20'	20'
Height:		

Provide the following:

1. A \$70.00 fee. (Checks/money orders to be made payable to the City of Chesterfield)
2. Two completed copies of this application with original signatures. *Please note: A copy with the Chairman's signature and the Board's decision will be returned to you.*
3. Twenty-five (25) copies of the following for inclusion in the packet:
 - A site plan showing the dimensions and location (including distance from property lines) of all existing and proposed buildings and structures.
 - Letters from abutting property owners stating their position.
 - Copies of the completed application.
 - The City of Chesterfield rejection or denial.
 - Any other information as required by the City of Chesterfield



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

For Sign Variance Requests, complete the following section:

B. Signage:

	The Petitioner(s) request the following :	City of Chesterfield Regulations allow the following for this site:
Number of attached business signs:	_____	_____
Size of attached business signs:	_____	_____
Number of freestanding business signs:	_____	_____
Size of freestanding business signs:	_____	_____

Explain why the sign variance request would not cause a public health or safety concern to the neighborhood or the public welfare.

Provide the following:

1. A \$70.00 fee. (Checks/money orders to be made payable to the City of Chesterfield.)
2. Two completed copies of this application with original signatures. *Please note: A copy with the Chairman's signature and the Board's decision will be returned to you.*
3. Twenty-five (25) copies of the following for inclusion in the packet:
 - A site plan showing:
 - The subject property with adjoining streets, existing buildings, major parking lot, and distance to property lines.
 - The location of proposed signs.
 - If attached wall signs, the cross section of wall on which sign is to be placed with dimensions and total square feet (or portion of total wall that will contain petitioner's business)
 - A detail sign plan indicating:
 - Dimension of signs with detail sign lettering layout.
 - Total square feet of signs. If attached, what percent of wall.
 - Light detail, if any.
 - Letters from abutting property owners stating their position.
 - Copies of the completed application.
 - The City of Chesterfield rejection or denial.
 - Any other information as required by the City of Chesterfield

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III. 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]

IX. LIENS AND FINES CERTIFICATION

Project Name: Schoen's second story addition at 1215 Walnut Hill Farm **Ward:** _____

STATE OF MISSOURI, CITY OF CHESTERFIELD

[I] [we], _____ (a duly licensed attorney or title insurance company)
(print, type or stamp name of attorney or title company)

in the State of Missouri), do hereby certify to the Council of the City of Chesterfield that [I] [we] have examined the title to the herein described property; that [I] [we] find the title to the property is vested to _____ ; that there are no fines and/or liens of record on the property
(name of owner(s))

by or owed to the City of Chesterfield [or] that the following fines and/or liens are owed to the City of Chesterfield:

1. _____
2. _____
3. _____
4. _____

(Attorney-at-law licensed in Missouri) Date

Missouri Bar # _____

-or-

(Officer of title insurance company) Date

Print, type or stamp name and title

[THIS SPACE INTENTIONALLY LEFT BLANK]

XI STATEMENT OF CONSENT

Consent is required from the property owner(s) and contract purchaser, if applicable, to their agent if the property owner(s) or contract purchaser do not intend to attend all meetings and public hearings and submit in person all material pertaining to the application. A separate form is required from each owner/contract purchaser. Consent to a firm shall be deemed consent for the entire firm, unless otherwise specified. Consent is valid for one year from date of notary, unless otherwise specified. Attach copy of last recorded warranty deed for subject property.

STATEMENT OF CONSENT

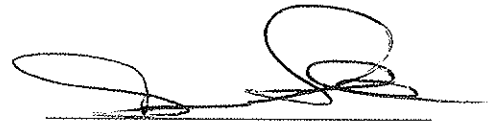
I hereby give CONSENT to Lauren Strutman Architects (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) 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 I have an ownership interest in is 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 this application, related material and all attachments become official records of the City of Chesterfield, Missouri, and will not be returned. 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 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)
Diane Schoen

(Name- type, stamp or print clearly)



(Signature)

1215 Walnut Hill Farm, Chesterfield MO 63005

(Address, City, State, Zip)

(Name of Firm)

Note: Attach additional sheets as necessary.

NOTARY PUBLIC INFORMATION: STATE OF MISSOURI, CITY OF CHESTERFIELD

The foregoing instrument was subscribed and sworn to before me this 13th day of October, 2009.

Signed Tara Cullison Print Name: Tara Cullison
Notary Public

My Commission Expires: 12-21-10 Seal/Stamp:

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

TARA CULLISON
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Charles County
My Commission Expires: Dec. 21, 2010

STAFF / BOA USE ONLY

Intake Date: _____

This petition is granted / denied (circle one) on the _____ day of _____ 20 _____

Signed: _____

Chairman

[THIS SPACE INTENTIONALLY LEFT BLANK]



Rejected

MZA_090876

Date: 10/5/2009

Property Address	Subdivision	Lot
1215 WALNUT HILL FARM DR	82 WALNUT HILL FARMS	5

Locator #	Ward	Date Received	Flood Plain
18T120179	4	10/5 /2009	NO

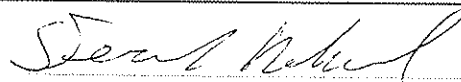
Zoning Class	Type
NU	Garage

Property Owner	Tenant
Tim & Diane Schoen	Addition above garage

Applicant
Lauren Strutman Architects

Comments
10/5/2009 - Complete - KristineK - 10/5/2009 - Cleared - BenjaminN - 10/5/2009 - Rejected - DerrickR - The work encroaches the front building line.

Status	Rejected	10/5 /2009	by Derrick Redhead, Code Enforcement Inspector


signature

ADVISORY:

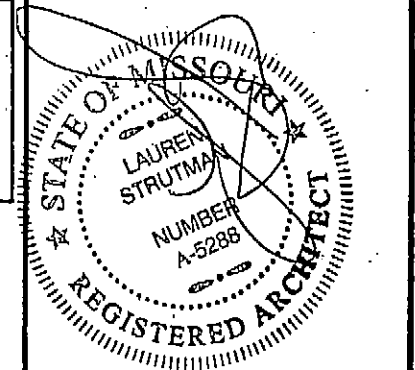
Applications for Municipal Zoning Approval that are not approved may be resubmitted once changes have been made. Please note that relief from some requirements, in the form of a variance, may be requested via application to the Board of Adjustment; please call the Department of Planning and Public Works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

GENERAL NOTES:

- DIMENSIONS SHALL BE TAKEN FROM FACE OF STUDS OR CONCRETE FOUNDATIONS. NUMERICALLY NOTED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND REPORT ANY DISCREPANCIES TO THE ARCHITECT SO ALL FIXTURES, EQUIPMENT, ETC. WILL FIT. DO NOT SCALE DRAWINGS.
- SURVEY INFORMATION HAS BEEN TAKEN FROM DRAWINGS SUPPLIED BY OTHERS AND IS NOT THE RESPONSIBILITY OF THE ARCHITECT.
- SUBSURFACE CONDITIONS SHALL NOT BE THE RESPONSIBILITY OF THE ARCHITECT SINCE NO SOIL TESTS, BEYOND STANDARD PERCOLATION TESTS HAVE BEEN DONE. CONTRACTOR SHALL PLACE ALL FOOTINGS ON VIRGIN SOIL, MIN. 30" BELOW GRADE. THERE WILL BE NO EXTRAS FOR OVERDIGGING AND EXTRA FILLING.
- UNDERGROUND PIPES, TANKS, SERVICES, ETC., SHALL BE LOCATED BY THE CONTRACTOR WHO SHALL TAKE ALL NECESSARY PRECAUTIONS FOR THEIR PROTECTION.
- FINISH GRADES SHALL BE 8" MIN. BELOW TOP OF FOUNDATION AND MUST SLOPE AWAY FROM THE BUILDING A MIN. 6" DROP WITHIN THE FIRST 10'-0" OR TO A SWALE. ALL AREAS SHALL BE SLOPED TO LOWER ELEVATIONS OF DRAINAGE STRUCTURES ON OR NEAR SITE.
- SHORING AND BRACING SHALL BE DESIGNED AND PROVIDED AS NEEDED TO PREVENT UNWANTED MOVEMENT, SETTLEMENT, OR COLLAPSE DURING WORK.
- MANUFACTURED MATERIALS AND EQUIPMENT SHALL BE INSTALLED, CONNECTED, OR ERECTED AS PER MANUFACTURER'S RECOMMENDATIONS, UNLESS SPECIFIED DIFFERENTLY IN THE CONTRACT DOCUMENTS.
- WARRANTIES AND GUARANTEES SHALL BE FURNISHED TO THE OWNER IN WRITING.
- MINIMUM COMPRESSIVE STRENGTH OF CONCRETE AT 28 DAYS SHALL BE:
2500 PSI - BASEMENT WALLS, FOUNDATION WALLS, AND FOOTINGS.
3000 PSI - PORCHES, WALKS, PATIOS, STEPS, GARAGE AND CARPORT FLOOR SLABS AND DRIVEWAYS. ALL EXTERIOR CONCRETE SHALL BE AIR ENTRAINED ACCORDING TO 2003 I.R.C. (INCLUDES FOUND. / BASEMENT WALLS, & GARAGE SLAB.)
- POLY VAPOR BARRIER - 6 MIL POLY VAPOR BARRIER IS REQUIRED UNDER BASEMENT SLABS WITH JOINTS LAPPED A MIN. OF 6".
- BASEMENT WALLS AND FLOORS OF HABITABLE AND OCCUPIED SPACE ARE TO BE WATER TIGHT AND PROPERLY REINFORCED TO WITHSTAND WATER PRESSURE AS NECESSARY.
- INSTALL A MINIMUM OF 2 - #5 REINFORCING BARS AROUND ALL WINDOW AND DOOR OPENINGS IN CONCRETE FOUNDATIONS AND BASEMENT WALLS. BARS SHALL EXTEND A MINIMUM OF 24" BEYOND THE CORNERS OF THE OPENINGS.
- BASEMENT AREA W/ DRAINS AND FOUNDATION DRAIN TILES ARE NOT TO BE CONNECTED TO A SANITARY SEWER.
- ANCHORS, BOLTS, HANGERS, AND ACCESSORIES SHALL BE AUTOMATICALLY INSTALLED AS REQUIRED. IF INADEQUATE SUBSTRATE EXISTS, PROVIDE APPROPRIATE BLOCKING OR ANCHORAGE.
- STRUCTURAL LUMBER SHALL HAVE A FIBER STRESS OF 975 P.S.I. MIN. ON 2" x 12" S, AND 1050 P.S.I. MIN. ON 2" x 10" S, AND A MODULUS OF ELASTICITY OF 1.6 MILLION P.S.I. MIN. UNLESS SPECIFIED OTHERWISE IN THE DRAWINGS.
- STRUCTURAL COLUMNS OR POSTS SHALL RUN OR BE BLOCKED CONTINUOUSLY FROM THE POINT OF BEARING TO THE CONCRETE FOUNDATION OR FOOTING.

- FRAMING HEADERS SHALL BE A MINIMUM OF TWO (2" x 10") S UNLESS OTHERWISE CALLED OUT IN THE CONSTRUCTION DOCUMENTS.
- DOUBLE FLOOR JOISTS SHALL BE INSTALLED BELOW PARALLEL PARTITIONS, UNDER BATHUBS, AND AT STAIR AND FLOOR OPENINGS. (THIS DOES NOT APPLY ON LOWER LEVELS OR WHERE STRUCTURE IS CONSTRUCTED ON A SLAB.)
- STUD FRAME WALLS - TOP AND BOTTOM OF ALL CONVENTIONAL, DOUBLE STUD, FURRED 6" SPACED STAGGERED STUD FRAME WALLS SHALL BE FIREBLOCKED VERTICALLY AT THE CEILING AND FLOOR LEVELS AND HORIZONTALLY AT INTERVALS NOT EXCEEDING 10'-0".
- ALL FLOOR FRAMING SHALL BE DESIGNED TO SUPPORT THE FOLLOWING MINIMUMS:
FLOOR AREAS OTHER THAN SLEEPING ROOM - LIVE LOAD : 40' / SQ. FT.
SLEEPING ROOMS - LIVE LOAD : 30' / SQ. FT.
BALCONY (EXTERIOR) LESS THAN 100 S.F. - LIVE LOAD : 60' / SQ. FT.
DECKS - LIVE LOAD : 60' / SQ. FT.
- NAILING MUST COMPLY WITH THE 2003 I.R.C. CODE. CUTTING, NOTCHING, AND / OR BORING HOLES IN WOOD BEAMS, JOISTS, OR STUDS SHALL NOT EXCEED THE LIMITATIONS NOTED IN SECTIONS R502.2 OF THE 2003 I.R.C. REINFORCEMENT / FASTENING OF STUDS SHALL BE DONE IN ACCORDANCE WITH R602.
- DROPPED CEILING BELOW WOOD JOISTS OR ATTACHED DIRECTLY TO WOOD FLOOR TRUSSES SHALL BE DRAFT STOPPED AT 1000 S.F. INTERVALS AND PARALLEL TO FRAMING MEMBERS. A 2" x 3" MINIMUM ACCESS OPENING IS REQUIRED FOR ATTIC AREAS WHICH HAVE A CLEAR HEIGHT OF AT LEAST 30". ACCESS DOORS IN DRAFT STOPPING SHALL BE SELF-CLOSING AND OF APPROVED MATERIALS.
- SOFFITS AND DROPPED CEILING SHALL BE FIRESTOPPED.
- EXPOSED MATERIALS FOR PORCHES, SOFFITS, OVERHANGS, ETC., SHALL BE APPROVED EXTERIOR GRADE MATERIALS.
- FLASHING: CORROSION RESISTANT FLASHING IS REQUIRED AT THE TOP AND SIDES OF ALL EXTERIOR WINDOW AND DOOR OPENINGS, ALL WALL AND ROOF INTERSECTIONS, CHANGES IN ROOF SLOPE OR DIRECTION, AROUND ALL ROOF OPENINGS, INTERSECTION OF CHIMNEYS, INTERSECTION OF EXTERIOR WALLS AND PORCHES AND DECKS. VALLEY FLASHING SHALL BE INSTALLED PER R503.2.2.2
- ROOF OVERHANGS - 2 LAYERS OF #5 FELT (TYPE I PER ASTM D226) CEMENTED TOGETHER FROM EAVE TO 2' - 0" INSIDE EXTERIOR WALL.
- DOWNSPOUTS ARE NOT TO BE CONNECTED TO SANITARY SEWER. DOWNSPOUTS SHALL BE DIRECTED AWAY FROM FOUNDATION.
- CAULKING AND SEALANTS: EXTERIOR JOINTS AROUND WINDOWS AND DOOR FRAMES, BETWEEN WALL CAVITIES AND WINDOW OR DOOR FRAMES, BETWEEN WALL AND ROOF, BETWEEN WALL PANELS AT ROOFS AND ALL OTHER OPENINGS IN THE EXTERIOR ENVELOPE SHALL BE SEALED IN AN APPROVED MANNER.
- INSULATION: CONTRACTOR SHALL STUFF FIBERGLASS BATT INSULATION SOLIDLY AROUND WINDOWS AND DOORS SO THAT NO AIR FLOWS IN AROUND WINDOWS AND DOORS. FILL VOIDS COMPLETELY AND INCLUDE FACING IF NECESSARY TO HOLD BATT IN PLACE. ALL CORNERS AND HEADERS IN FRAMING SHALL BE COMPLETELY FILLED WITH INSULATION.
- VAPOR RETARDER (SEE SPEC'S. FOR TYPE) SHALL BE STAPLED TO INTERIOR OF ALL EXTERIOR WALLS, AND FASTENED CLOSELY TO FLOOR. SEAL WITH DUCT TAPE OR TREMCO ACOUSTICAL SEALANT - LAPPED AREAS OF VAPOR RETARDER SHEETS.
- DRYWALL INSTALLATIONS SHALL BE IN ACCORDANCE WITH THE GYPSUM ASSOC. RECOMMENDED PRACTICES AS TO THICKNESS, NAILING, AND TAPING ON CORRECT STUD SPACING.
- WATER RESISTANT GYPSUM BACKER BOARD IS REQUIRED IN ALL BATHUB AREAS, SHOWER AREAS AND ALL WALLS WITH PLUMBING PENETRATIONS.
- FIRE RATED DRYWALL ASSEMBLIES SHALL BE INSTALLED IN ACCORDANCE WITH SPECIFICATIONS OF APPROVED TEST ASSEMBLY.
- FIREBLOCKING REQUIRED BETWEEN STAIRWAY STRINGERS AT THE TOP AND BOTTOM OF THE RUN.
- INTERIOR FINISH MATERIALS SHALL NOT HAVE A FLAME SPREAD RATING EXCEEDING 200. BATT INSULATION INCLUDING THE VAPOR RETARDER, SHALL NOT BE LEFT EXPOSED IN BASEMENTS UNLESS THE MATERIAL HAS A FLAME SPREAD RATING OF 25 OR LESS AND A SMOKE DEVELOPMENT RATING OF 450 OR LESS. FOAM PLASTIC INSULATION SHALL BE SEPARATED FROM THE INTERIOR OF THE BUILDING BY 1/2" GYPSUM WALL BOARD, OR 5/8" GYPSUM WALL BOARD WHERE LOCAL CODES GOVERN AND FLAME SPREAD RATING PER 2003 I.R.C. SECTION R314.1.1.
- SHOWER AND BATHUB / SHOWER ENCLOSURES SHALL HAVE WALLS CONSTRUCTED OF SMOOTH, NONCORROSIVE, NONABSORBENT, AND WATERPROOF MATERIALS TO A HEIGHT OF NOT LESS THAN 5' - 0" ABOVE THE ROOM FLOOR LEVEL. SHOWER FLOOR SURFACES TO BE SMOOTH, NONCORROSIVE, NONABSORBENT, AND WATERPROOF MATERIALS.
- HAND AND GUARDRAILS SHALL BE SECURED TO WITHSTAND A FORCE OF 200/LF VERTICALLY AND HORIZONTALLY.
- AIR INFILTRATION RATE FOR WINDOWS SHALL NOT EXCEED 0.5 CFM PER FOOT OF SASH TRACK. DOORS SHALL NOT EXCEED 0.5 CFM PER SQUARE FOOT OF DOOR AREA.
- WINDOWS SHALL BE DOUBLE GLAZED. (SEE SPEC'S.) THE INTERIOR LAYER OF SKYLIGHT GLAZING SHALL BE LAMINATED GLASS WITH A MINIMUM 0.015" POLYVINYL BUTYRAL INTERLAYER, WIRED GLASS, OR APPROVED PLASTIC MATERIAL. AN APPROVED SCREEN TO PROTECT OCCUPANTS IS REQUIRED IF HEAT STRENGTHENED OR TEMPERED GLASS IS USED AS THE INTERIOR LAYER OF GLAZING. WINDOWS SHALL HAVE A U-VALUE OF .49 MAXIMUM.
- DOORS SHALL BE WEATHERSTRIPPED AND SHALL HAVE A U-VALUE OF .49 MAXIMUM.
- SMOKE DETECTORS SHALL BE A.C. POWERED U.L. APPROVED WITH BATTERY BACKUP AND INSTALLED PER NFPA 72 - 98. DETECTORS SHALL BE INTERCONNECTED SO THAT ALL UNITS GO OFF SIMULTANEOUSLY.
- BATHROOMS REQUIRE 50 CFM MINIMUM EXHAUST FROM VENT TO EXTERIOR. (IT IS NOT PERMISSIBLE TO DISCHARGE EXHAUST TO THE ATTIC).
NOTE THAT IF AN AIR TO AIR HEAT EXCHANGER IS USED INSTEAD OF AN EXHAUST FAN, THIS PROVIDES MORE THAN THE MINIMUM REQUIRED EXHAUST.
- KITCHENS REQUIRE 100 CFM MINIMUM EXHAUST FROM VENT TO EXTERIOR. (IT IS NOT PERMISSIBLE TO DISCHARGE EXHAUST TO THE ATTIC).
- CLOTHES DRYERS SHALL BE INDEPENDENT OF ALL OTHER SYSTEMS, AND EXHAUST SHALL BE TO THE EXTERIOR.
- GAS PIPING SHALL BE IDENTIFIED AT INTERVALS OF NO MORE THAN 35 FEET IN CONCEALED LOCATIONS AND NOT MORE THAN 50 FEET IN EXPOSED LOCATIONS.
- EACH GAS APPLIANCE SHALL HAVE A GAS SHUTOFF VALVE AND GROUND JOINT UNION. A SEDIMENT TRAP IS REQUIRED AT EACH APPLIANCE OR GROUP OF APPLIANCES.
- LEAD - FREE SOLDER IS REQUIRED ON ALL COPPER WATER SUPPLY PIPING.
- ENTRY DOOR LOCK MAY HAVE EITHER THUMB TURN ON INSIDE OR INSIDE KEY OPERATION IF KEY CANNOT BE REMOVED FROM LOCK WHEN DOOR IS LOCKED FROM THE INSIDE.
- FOOTING, SUMP PUMP AND DOWNPOUT DRAINAGE SHALL NOT BE DISCHARGED CLOSER THAN 10'-0" FROM PROPERTY LINE.
- CONTRACTOR SHALL INSTALL SPLASH BLOCKS AT ALL NEW DOWNPOUT LOCATIONS.

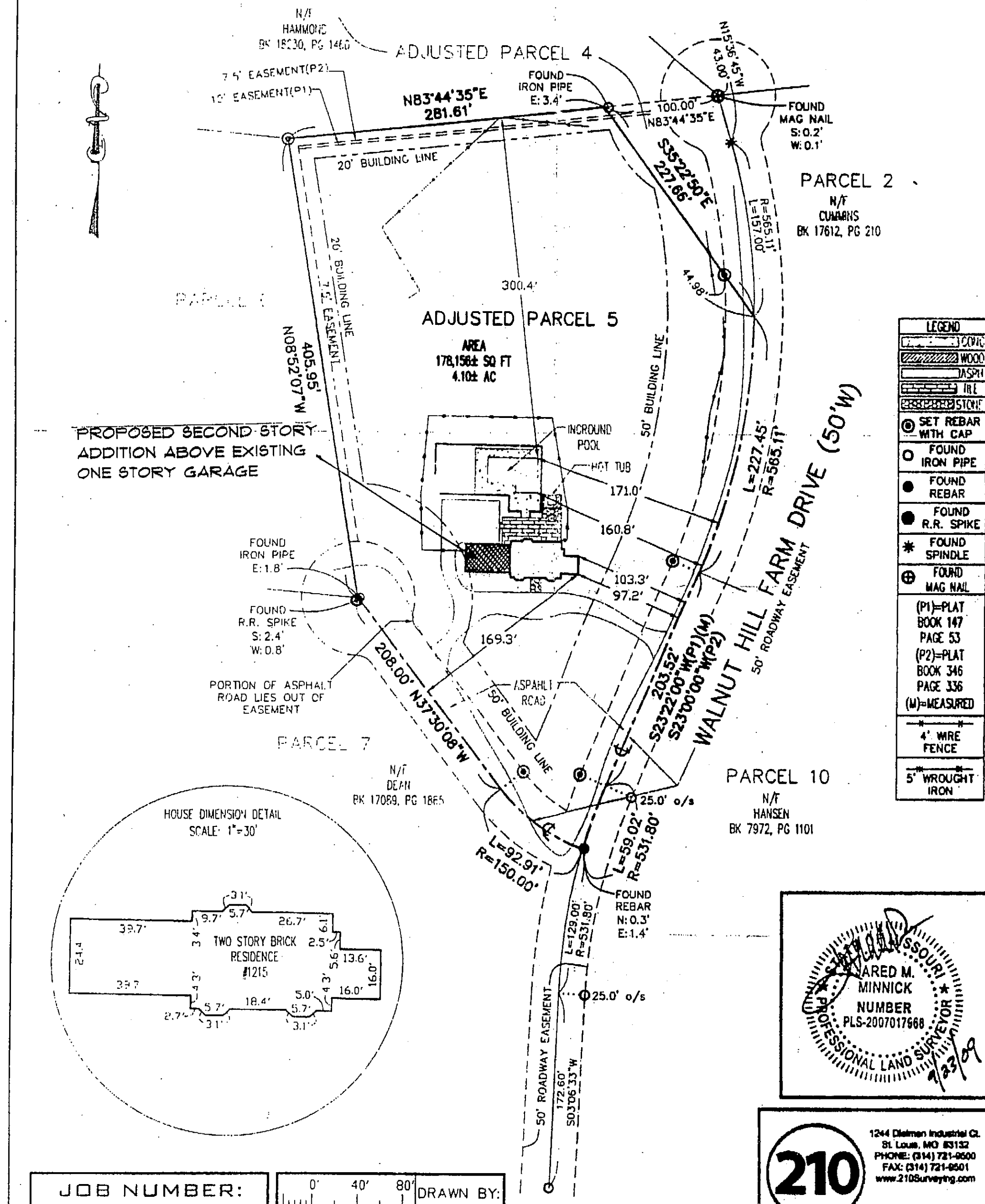
PRELIMINARY DRAWINGS ONLY
NOT FOR CONSTRUCTION



The professional whose personal seal and signature appears above assumes responsibility only for what appears on this page and disclaims any responsibility for all other plans, specifications, estimates, reports, or other documents of instruments not issued by the undersigned professional relating to or intended to be used for any part or parts of the project to which this page refers.

BOUNDARY SURVEY
ADJUSTED PARCEL 5 OF THE BOUNDARY ADJUSTMENT PLAT OF PARCELS 4 AND 5 OF A TRACT OF LAND KNOWN AS WALNUT HILLS
PLAT BOOK 346 PAGE 336
ST. LOUIS COUNTY, MISSOURI

NOTES:
- THIS BOUNDARY SURVEY WAS PERFORMED AT THE REQUEST OF AND IS CERTIFIED TO EARL SWEDERSKA DURING THE MONTH OF SEPTEMBER, 2009 AND IS NON TRANSFERABLE.
- THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS, CLASS OF SURVEY: URBAN PROPERTY. BOUNDARY LOCATIONS HAVE BEEN ESTABLISHED USING EVIDENCE FOUND AND SHOWN ON THIS PLAT.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. NO TITLE COMMITMENT WAS PROVIDED.
- SUBJECT PROPERTY NOW OR FORMERLY OWNED BY: SCHOEN, TIMOTHY J. BK 14619 PG 1
- BASIS OF BEARING: THE NORTH LINE OF ADJUSTED PARCEL 5 OF THE BOUNDARY ADJUSTMENT PLAT OF PARCELS 4 AND 5 OF A TRACT OF LAND KNOWN AS WALNUT HILLS AS RECORDED IN PLAT BOOK 346 PAGE 336 OF THE ST. LOUIS COUNTY RECORDS



JOB NUMBER: 2434
SCALE: 1" = 80'
DRAWN BY: LGH

NOTE:
SURVEY PROVIDED BY 210 SURVEYING. THE IMPROVEMENTS HAVE BEEN DRAWN BY THE ARCHITECT

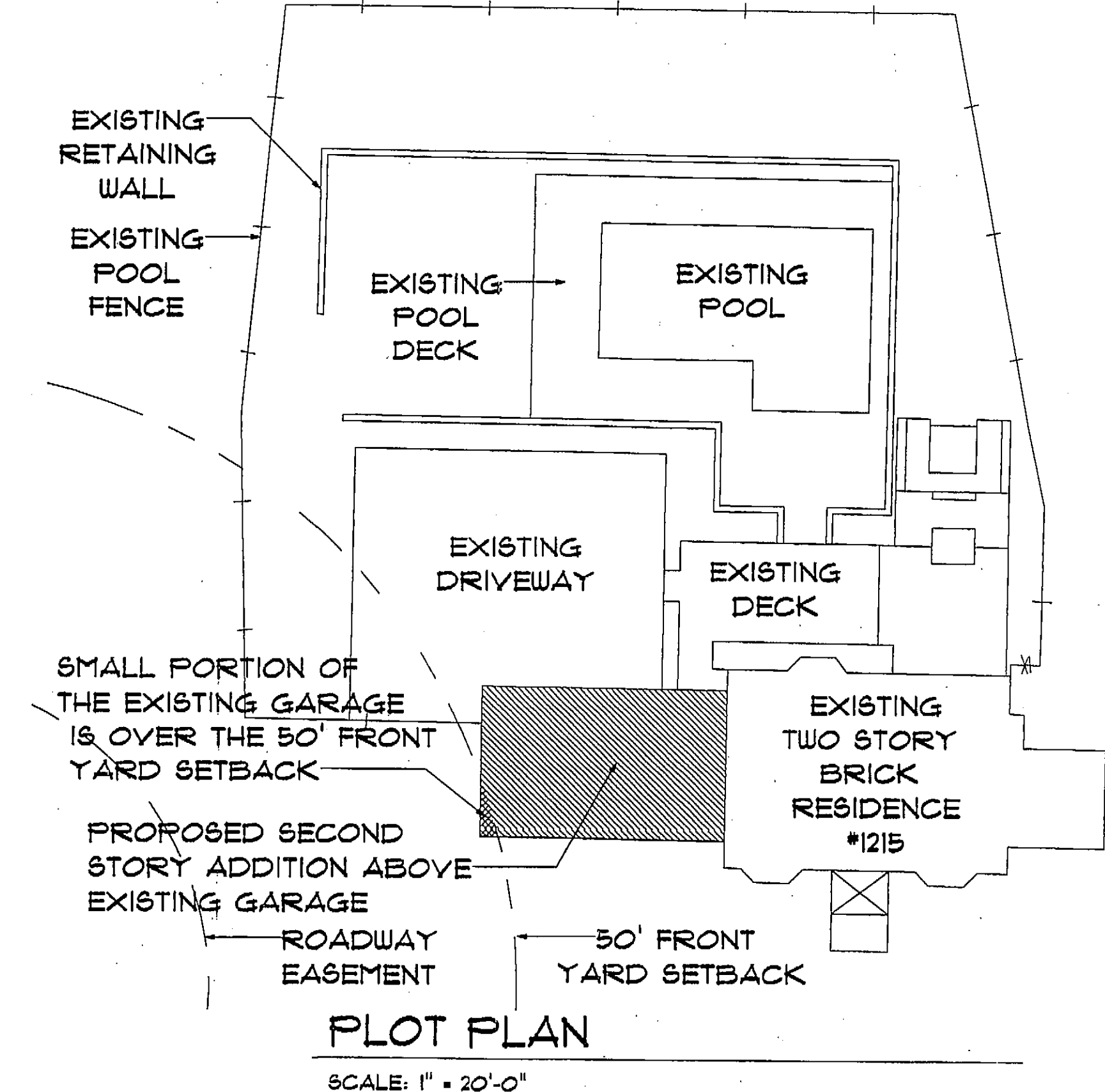
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PLOT PLAN
SCALE: 1" = 20'-0"

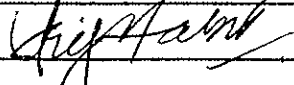
ADDITION AND RENOVATION FOR:
TIM AND DIANE SCHOEN
*1215 WALNUT HILL FARM DRIVE
CHESTERFIELD MO. 63005


LAUREN STRUTMAN ARCHITECTS P.C.
1244 Cleburn Industrial Ct.
St. Louis, MO 63152
PHONE: (636) 733-0880 FAX: (636) 531-1071
E-MAIL: STRUTMAN@LAURENSTRUTMANARCHITECTS.COM

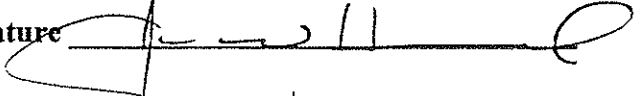
REVISIONS	
DRAWN BY: R.T.D.	
JOB NO.	
DATE: 10-10-09	
SHEET:	

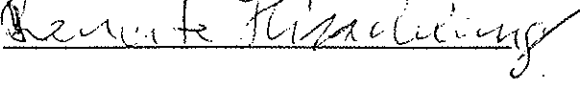
City of Chesterfield, Board of Adjustment:

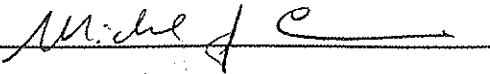
As a neighbor to the proposed construction at 1215 Walnut Hill Farm Drive, I have reviewed the plans for the new addition over the existing garage. I understand the necessity of the proposed variance request. I fully support, and have no objection to the variance request to build the second story addition above the existing garage at 1215 Walnut Hill Farm Drive, Chesterfield MO.

Name ARIF HABIB
Address 1230 WALNUT HILL FARM DR. CHESTERFIELD, MO 63005
Signature 

Name Mervell Hansen (TRUSTEE)
Address 1234 Walnut Hill Farm
Signature 

Name JOHN W. HAMMOND TRUSTEE
Address 1203 WALNUT HILL FARM
Signature 

Name Berndt Hindelang
Address 16160 Walnut Hill Farm
Signature 

Name Michael J. Cummins
Address 1212 Walnut Hill Farm
Signature 

Name _____
Address _____
Signature _____

City of Chesterfield, Board of Adjustment:

As a neighbor to the proposed construction at 1215 Walnut Hill Farm Drive, I have reviewed the plans for the new addition over the existing garage. I understand the necessity of the proposed variance request. I fully support, and have no objection to the variance request to build the second story addition above the existing garage at 1215 Walnut Hill Farm Drive, Chesterfield MO.

Name SUSAN DEAN

Address 1245 WALNUT HILL FARM DR, CHESTERFIELD,

Signature Susan Dean 10/29/09

MO 63005

- iv) Steep slopes - 70% of all areas exceeding a 30% slope shall be protected and remain without development
- v) Woodlands - per the regulations in the tree protection ordinance

1003.105. "NU" Non-Urban District regulations.

1. *Scope of provisions.* This section contains the district regulations of the "NU" Non-Urban District. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in this appendix which are incorporated as part of this section by reference. The "NU" Non-Urban District of the City of Chesterfield encompasses areas within which rough natural topography, geological conditions, or location in relation to urbanized areas creates practical difficulties in providing and maintaining public roads, and public or private utility services and facilities. The "NU" Non-Urban District also encompasses areas where specific potential development patterns have not been identified or where significant non-urban uses have been established.

2. *Permitted land uses and developments.* The following land uses and developments are permitted in this district:

- (1) Churches.
- (2) Commercial vegetable and flower gardening, as well as plant nurseries and greenhouses, but not including any structure used as a salesroom.
- (3) Dairy farming.
- (4) Dwelling, single-family.
- (5) Dwelling, single-family earth sheltered.
- (6) Farming, including the cultivation and sale of any plant crops and domestic animals.
- (7) Forests, wildlife reservations, as well as conservation projects.
- (8) Golf courses, including practice driving tees on the same premises. Miniature golf courses and independent practice driving tees are excluded.
- (9) Home occupations.
- (10) Hunting and fishing as well as propagation of wildlife of any kind.
- (11) Libraries, public or private not-for-profit.

- (12) Local public utility facilities, provided that any installation other than poles and equipment attached to the poles, shall be:
 - (a) Adequately screened with landscaping, fencing, or walls, or any combination thereof; or
 - (b) Placed underground; or
 - (c) Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.

- (13) Mausoleums or crematoriums in an existing cemetery, any other provision of the law notwithstanding, but no such structure shall be situated closer than one hundred (100) feet to any cemetery property line.
- (14) Parks, parkways, and playgrounds, public or private not-for-profit.
- (15) Schools, public or private kindergarten, elementary, secondary, and collegiate.

3. *Conditional land use and development permits issued by the Commission.* The following land uses and developments may be permitted under conditions and requirements specified in Section 1003.181, "Conditional Use Permits":

- (1) Administrative offices and educational facilities for religious purposes.
- (2) Child care centers, nursery schools, and day nurseries, daycare homes.
- (3) Clubs, private not-for-profit.
- (4) Dormitory or group living facilities for religious, educational, or charitable purposes.
- (5) Fairgrounds.
- (6) Feed or grain storage, commercial or cooperative.
- (7) Foster homes for handicapped children.
- (8) Practice driving tees, no lights.

- (9) Group homes for the developmentally disabled, to be occupied by no more than nine (9) individuals (excluding supervisory personnel) not related by blood or marriage to the operator or operators of the facility.
- (10) Group living facilities providing a permanent residence for not more than nine (9) individuals, all over eighteen (18) years of age and who are ordained or hold a designated religious position with the same religious institution.
- (11) Hospitals and hospices.
- (12) Local public utility facilities over sixty (60) feet in height, and public utilities facilities.
- (13) Mortuaries, cemeteries and mausoleums, including mortuaries operated in conjunction with the cemetery or mausoleum.
- (14) Mulching plants for trees, wood, or wood waste, but not including any assembly or manufacture of a product.
- (15) Nursing homes and group homes for the elderly, but not including self-care units.
- (16) Police and fire stations.
- (17) Private not-for-profit recreational land uses and community centers.
- (18) Radio, television, and communication transmitting, receiving, or relay towers and facilities.
- (19) Residential substance abuse treatment facilities.
- (20) Retreats owned and operated by religious, educational, or other not-for-profit establishments and religious convents.
- (21) Riding stables, kennels, and veterinary clinics.
- (22) Salesrooms, when established as an accessory use to commercial gardens, plant nurseries, and greenhouses, for the sale of nursery products and related items for use in preserving the life and health of such products, hand tools, and plant containers. The preceding items shall not include power-driven equipment, lawn and garden furniture nor decorative accessories and fencing; however, bulk sale of sand, gravel, mulch, railroad ties or similar materials may be permitted. The salesroom may occupy all or a portion of a building.

- (23) Satellite dishes (additional to provisions of Section 1003.167, 17.).
- (24) Sewage treatment facilities, other than facilities permitted as an accessory use.
- (25) Specialized private schools.
- (26) Stadiums and sports arenas.

4. *Accessory land uses and developments.* Subject to compliance with the procedures of this section, accessory buildings, structures, and uses are permitted in conjunction with a permitted land use or development or (unless restricted by applicable condition) a conditional land use or development when such accessory building, structure or use is customarily found in conjunction with the primary use, is a reasonably necessary incident to the primary use, is clearly subordinate to the primary use, and serves only to further the successful utilization of the primary use. Accessory uses include the following:

- (1) Devices for the generation of energy, such as solar panels, wind generators, and similar devices.
- (2) Individual sewage treatment facilities serving an individual dwelling, farm, or nonresidential use, as approved by the appropriate regulatory agency. The sewage treatment facilities shall not exceed five thousand (5,000) gallons per day flow.
- (3) Private stables.
- (4) Permitted signs (see Section 1003.168 'Sign Regulations').

5. *Performance standards.* All uses in the "NU" Non-Urban District shall operate in conformity with the appropriate performance standards contained in Section 1003.163, "Zoning Performance Standard Regulations."

6. *Height limitations for structures.* The total height of any structure shall not exceed that permitted in Section 1003.161, "Air Navigation Space Regulations."

7. *Lot area and yard requirements.* The minimum lot area and yard requirements for land uses and developments in the "NU" Non-Urban District shall be as set out below:

- (1) *Minimum lot area requirements:*
 - (a) The following permitted and conditional land uses shall be situated on tracts of land providing not less than the following areas:

<i>Use</i>	<i>Minimum Area</i>
Administrative offices and educational facilities- religious	4 acres
Child care center	3 acres
Church	3 acres
Dormitory and group living facilities	3 acres
Dwelling, single-family	3 acres
Dwelling, single-family, earth sheltered	3 acres
Group homes for the developmentally disabled	3 acres
Group living facilities for religious purposes	3 acres
Local public utility facilities	10,000 sq. ft.
Mechanical sewage treatment facility	3 acres
Mortuary	Minimum area 3 acres (minimum of 200 feet on a state (MoDOT) roadway, and adjacent to existing commercial zoning district).
Residential substance abuse treatment facilities	3 acres (except 5 acres for a facility of more than 8 resident patients).
Schools	
Nursery or day nursery	1 acre
Kindergarten (separate)	3 acres
Primary	5 acres
Junior high	10 acres
Senior high	20 acres
Collegiate	10 acres

- (b) Any lot or tract of record on the effective date of this ordinance, which contains less than three (3) acres, may be used as a site for one single-family dwelling together with customary accessory structures and uses.
- (c) Specialized private schools shall be located on a tract of land containing one acre for each fifteen (15) pupils, but in no case less than five (5) acres, nor more than that required by the school land area requirements, as listed in paragraph 7.(1)(a).
- (d) Mechanical sewage treatment facilities may be located on tracts of land less than three (3) acres in area where the facility is located on platted common land within a subdivision. The minimum lot area, however, shall in no case be less than ten thousand (10,000) square feet.

- (e) Police and fire stations as approved by the Planning Commission via a conditional use permit may be established on tracts of less than five (5) acres where the related parking needs, outdoor facilities, and size of buildings are deemed consistent with the intensity of land use in the neighborhood of these uses.
 - (f) All other permitted or conditional land uses in this district shall be situated or conducted on tracts of land at least five (5) acres in area.
- (2) *Creation of new lots.* No new lots shall be created of less than three (3) acres in area except for fire stations, police stations, nurseries or day nurseries, and local public utility facilities. Lots of less than three (3) acres in area, created for the above uses, shall not be used for any other use. In the event the permitted use terminates, the lot shall be established as common ground for an adjacent development or combined with an adjacent parcel or parcels by means of a boundary adjustment. Prior to the approval of a subdivision record plat creating a lot of less than three (3) acres, a deed or other legal instrument must be approved by the City Attorney and recorded with the St. Louis County Recorder of Deeds, which guarantees the required transfer of the property in the event the permitted use is terminated with a copy to be filed with the City of Chesterfield.
- (3) *Minimum yard requirements; general.*
- (a) Front yard. No structure shall be allowed within fifty (50) feet of any roadway right-of-way line.
 - (b) Side and rear yard. No structure shall be allowed within twenty (20) feet of any property line other than a roadway right-of-way line.
- (4) *Specific yard requirements and exceptions.*
- (a) Notwithstanding any other provisions of this appendix, on corner lots, no structure or plant material exceeding three (3) feet in height above the elevation of the street pavement is allowed within the sight distance triangle.
 - (b) Boundary walls or fences, six (6) feet or less in height, are allowed within the minimum yard requirements.
 - (c) Permitted information signs, six (6) feet or less in heights are allowed within the minimum front yard setback.
 - (d) Permitted directional signs, three (3) feet or less in height, are allowed within the minimum front yard setback or sight distance triangle.

- (e) A permitted freestanding sign may be located no closer than twenty-five (25) feet from any roadway right-of-way line.
 - (f) Light standards for street lighting or at points of ingress and egress, but not including parking lot lighting, are allowed within the minimum front yard setback when approved by the Department of Planning. Light standards for parking lot lighting are allowed no closer than ten (10) feet of any side or rear yard line which adjoins property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District.
 - (g) In the event that greater than fifty (50) percent of the existing dwelling structures on the same side of a street and in both directions from a lot, for a distance of five hundred (500) feet or to the nearest intersecting street, whichever distance is less, have a variation in front yard setbacks of no more than ten (10) feet, the required front yard for that lot shall be the average setback of those structures. However, in no case shall any building be located closer than fifteen (15) feet from any roadway right-of-way line, nor shall a setback of greater than seventy-five (75) feet be required.
 - (h) If a lot of record existing on the effective date of this ordinance has a width of one hundred (100) feet or less, the side yard on each side of any structure erected on such lot may be reduced to a width of not less than ten (10) percent of the width of the lot, but in no instances shall such yard be less than five (5) feet in width.
 - (i) Any nonresidential structure, other than a public utility tower authorized by a conditional use permit, which exceeds thirty (30) feet in height shall be set back from all property lines at least one additional foot for every foot of height above thirty (30) feet.
 - (j) No private stable shall be allowed within one hundred (100) feet of any property line. Affiliated pasture areas shall be fenced.
- (5) *Maximum height and minimum yard requirements for nursing homes.*
- (a) No building within a nursing home development shall exceed a height of three (3) stories or forty-five (45) feet above the average ground elevation at the perimeter of the building, whichever is less.
 - (b) No building within a nursing home development shall be allowed within a minimum of fifty (50) feet of any property line.

- (c) Limited service and retail commercial uses, not to exceed five (5) percent of the total gross floor area of the self-care building, or buildings, excluding garages, to be located within one self-care building, shall be permitted in conjunction with existing nursing homes with a minimum of one hundred (100) beds and fifty (50) self-care units. There shall be no indication, through signs or other devices on the exterior, that such commercial uses are in existence. Uses authorized may include a financial facility, excluding drive-up and external walk-up facilities, barber and beauty shop, food or drug store, laundry or dry-cleaning pick-up, and a newspaper stand and card shop.
- (6) *Maximum density, maximum height and minimum yard area for residential substance abuse treatment facilities.*
 - (a) Densities shall not exceed eight (8) resident patients and two (2) house parents or support staff, per facility for lots less than five (5) acres.
 - (b) No building within a residential substance abuse treatment facility development shall exceed a height of three (3) stories or forty-five (45) feet above the average ground elevation at the perimeter of the building, whichever is less.
 - (c) No building within a residential substance abuse treatment facility development shall be allowed within a minimum of fifty (50) feet of any property line.
 - (d) Residential substance abuse treatment facilities shall maintain a minimum radius of two (2) miles between each facility.

8. *Off-street parking and loading requirements.* Off-street parking and loading requirements and setbacks for parking areas, loading spaces and internal drives are set forth in Section 1003.165, "Off-Street Parking and Loading Requirements."

9. *Sign regulations.* Sign regulations are set forth in Section 1003.168, "Sign Regulations."

1003.106 "LLR" Large Lot Residential District

1. *Intent and Purpose.* The purpose of the "LLR" Large Lot Residential District is to provide for residential uses and activities, and other compatible uses in areas where the normal provision of community infrastructure is not desirable or not feasible. Single-family residential development in this district is intended to conform to standards set forth in Section 1005.135 of the City's Subdivision Regulations (Large lot subdivision). The Large lot subdivision standards, generally, do not require minimum pavement widths, sidewalks, streetlights and other improvements applicable to residential subdivisions containing lots of less than three acres.