

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, September 6, 2007 at 7:00 p.m. in the City Council Chambers at the City of Chesterfield City Hall, 690 Chesterfield Parkway West, Chesterfield, Missouri, 63017

The Board will consider the following:

B.A. 11-2007 2332 Wellington Estates Drive (Ramkumar Vakamudi): A request for variance from City of Chesterfield Ordinance 296 to permit an existing residence at 2332 Wellington Estates Drive in Wellington Estates Subdivision to maintain a five (5) ft. rear yard setback in lieu of the required fifteen (15)-foot rear yard setback. [(2332 Wellington Estates Drive (21R540650))]



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

Copies of the request are available for review at the City Government Center Monday through Friday, from 8:30 a.m. to 4:30 p.m. If you should need additional information about this project, please contact Annissa McCaskill-Clay, Assistant Director of Planning by telephone at 636-537-4737 or by email at amccaskill@chesterfield.mo.us

City of Chesterfield

Annissa McCaskill-Clay, AICP
Assistant Director of Planning.



IV. A.

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

August 30, 2007

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

Re: **B.A. 11-2007 2332 Wellington Estates Drive (Ramkumar Vakamudi)**: A request for variance from City of Chesterfield Ordinance 296 to permit an existing residence at 2332 Wellington Estates Drive in Wellington Estates Subdivision to maintain a five (5) ft. rear yard setback in lieu of the required fifteen (15)-foot rear yard setback. [(2332 Wellington Estates Drive (21R540650)]

Dear Board Members:

Ramkumar Vakamudi, the owner of the above-referenced property, has submitted the above-referenced request for variance to the Board of Adjustment. In review of the petitioner's request, the Department of Planning submits the following report:

Background of the site

1. Mr. Vakamudi is seeking to build an addition to the home at 2332 Wellington Estates Drive, which is located within the Wellington Estates Subdivision.
2. On May 15, 1989, the City of Chesterfield approved Ordinance 296, which established criteria for development of Wellington Estates Subdivision.
3. Wellington Estates Subdivision is zoned "R-2" Residence District with a Planned Environment Unit. Ordinance 296 establishes a 15-foot rear yard setback.
4. On July 12, 2007, the City of Chesterfield rejected an application for municipal zoning approval for construction of Mr. Vakamudi's home addition because it could not meet the required rear yard setback.

Description of the necessity of the proposed improvement/Basis for appeal:

From Petitioner's Application (Attachment 1): *"The lot is long and level lot. Steep drop in the back (Three ft.). Bushes are planted all along the Black Iron fence...This proposed project is right behind the neighbour's garage driveway...The proposed structure is going over the patio with plants, it will be covered. We cannot build on north end—master bedroom-bathroom at*

northend. Family room-chimney-kitchen end (is) only possible extension. South end of the house is 3 car oversized garage one end. Huge wall no possibility for extension.”

Approval Criteria

Mr. Vakumudi is seeking a variance to allow for a five (5) foot rear yard setback in lieu of the fifteen foot setback established by City of Chesterfield Ordinance 296.

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;”

Action is requested on B.A. 11-2007 Wellington Estate Drive.

Respectfully Submitted,

Annisca McCaskill-Clay

Annisca G. McCaskill-Clay, AICP
Assistant Director of Planning

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 Applications
 - A. Application to Board of Adjustment w/pictures and letter from trustees
 - B. Rejected Municipal Zoning Approval
6. City of Chesterfield Ordinance 296



City of Chesterfield

DEPARTMENT OF PLANNING

PLANNING
APR 27 2007
11 AM
PLANNING

APPLICATION TO THE BOARD OF ADJUSTMENT FOR A VARIANCE

The Board of Adjustment is a local body consisting of volunteers appointed by the Mayor. Its responsibility is to hear appeals from decisions of the City of Chesterfield Department of Planning and to consider requests for variances and exceptions. A variance is an approved departure from the provisions of the zoning requirements for a specific parcel, without changing the zoning ordinance underlying zoning of the parcel. A variance usually is granted only upon demonstration of hardship based on the peculiarity of the property in relation to other properties in the same zone district. For questions about this application, please contact the "Planner of the Day" at 636-537-4733. For information about this and other projects under review by the Department of Planning, please visit "Planning Projects" at www.Chesterfield.mo.us.

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

- Area (bulk) variance: A request to allow deviation from the dimensional (i.e. height, bulk yard) requirements of a zoning district.
- Appeal of an Administrative determination

Note: A \$70 fee applies

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

STATE OF MISSOURI)	BOA NUMBER	<u>B.A.11-2007</u>
)	HEARING DATE	<u>09-06-2007</u>
CITY OF CHESTERFIELD)		

Petition for Appeal from Zoning Regulations

I. APPLICANT INFORMATION

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

Record: St. Louis County and # 331 Rear Setback 15ft

Address: 2332 WELLINGTON EST DR

City: CHESTERFIELD State: MO Zip: 63017

Tel.: 636-220-7636 Fax: 636-220-7636

Petitioner, if other than owner(s): SAME AS ABOVE

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: 2332 WELLINGTON EST DR, Chesterfield, MO 63017

Locator Number(s): Tax ID - 21R 540650

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

Acreage: .33 (To the nearest tenth of an acre)

Subdivision Name (If applicable): WELLINGTON ESTATES

Current Zoning District: R-2

Legal Description of Property: _____

(Attach additional sheets as necessary)

III. NATURE OF REQUEST FOR VARIANCE

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

(Attach additional sheets as necessary)

Description of the necessity of the proposed improvement: See Attached ①
Green room over concrete patio Prayer Area
-has to be at NE corner of room.

(Attach additional sheets as necessary)

Ordinance Number and section to which a variance is sought: _____
ST. LOUIS COUNTY ORD # 331

(Attach additional sheets as necessary)

Basis for appeal of the above action: _____

(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

Specify the action to which the appeal is sought: _____

for ~~Enriching~~ Rejection of Zoning approval -
floor Setback

(Attach additional sheets as necessary)

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

value and positive effect Everyone else is adding
green room, Florida room, Most of the subdivision residents
are original owners (13-15 yrs), getting older and would like to see more
sunlight and sit outside in winter.

Statement of any other hardship or information for this appeal: _____

(Attach additional sheets as necessary)

Please complete the sections below as applicable:

A. Setbacks/Height:

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

Front yard: _____
Side yard: _____
Rear yard: 5 ft
Height: _____

The City of Chesterfield Zoning Ordinance Regulations require the following setback(s) for this site:

Front yard: _____
Side yard: _____
Rear yard: 15 ft
Height: _____

The following information correctly presents the true conditions and also describes the practical difficulties and unnecessary hardships warranting action by the Board.

Include two (2) completed copies of this application with original signatures and two (2) copies of the following:

1. A site development 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.
2. A \$70.00 fee. (Checks/money orders to be made payable to the City of Chesterfield.)
3. A copy of the City of Chesterfield rejection or denial.

B. Signage:

Number and size of allowable attached business signs by ordinance: _____

— N/A —

Number and size of allowable freestanding business signs by ordinance: _____

— N/A —

The petitioner further represents that the increased sign size or height would not be injurious to the neighborhood, or otherwise be detrimental to the public welfare for the following reasons: _____

Include two (2) completed copies of this application with original signatures and two (2) copies of the following:

1. 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)

2. 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.

3. Letters from abutting property owners stating their position.

4. A \$70.00 fee. (Checks/money orders to be made payable to the City of Chesterfield.)

5. A copy of the City of Chesterfield rejection or denial.

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: _____ **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 _____ (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)

(Name- type, stamp or print clearly) (Signature)

(Name of Firm) (Address, City, State, Zip)

Note: Attach additional sheets as necessary.

NOTARY PUBLIC INFORMATION: STATE OF MISSOURI, CITY OF CHESTERFIELD

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

Signed _____ Print Name: _____
Notary Public

Seal/Stamp:

My Commission Expires: _____

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

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]

Date: 08/10/2007
To: To Whom it may concern
From: Randy Baumann (Trustee Wellington Estates)
RE: Variance for room addition



The Trustee's of Wellington Estates do not have any objections for a variance to 2332 Wellington Estates Drive for the room addition. It must be done in a professional manner and within the guidelines set by the Chesterfield planning commission.

Trustee,

Randy Baumann
Randy Baumann

Attachment (1) 8/21/07

Proposal - Utilise the space and Entrance from family room
to ^{and kitchen} build a green room over concrete patio.
Over the existing concrete patio, (Pic # 4)

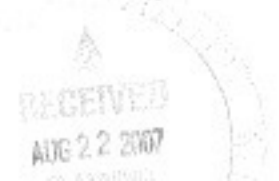
Encloser - Roof - Extension - between
Kitchen - Brick wall -> family room.
Door Window Door
(Pic # 2) (shown in picture # 3) (pic # 5 # 8)
3

We lived in this house since 1995. (12 years)
We enjoy a lot of indoor - Tropical plants.
Like to add a green room - and also get
some light into dark kitchen. Also Payer area at
NE corner as per hindu religious. ^{step} drop down at
the lot is long and level lot. drop down at
the back. (Three ft.) Bushes are planted all along
the Black Iron fence. (See Pic # 10)

This proposed project - is - right behind the
neighbours Garage - Driveway. (See Pic # 9)
The proposed structure - is going over the patio
with plants, it will be covered.
We cannot build on North End - Master bedroom - Bathroom
at N.E. End. - Family room - Chimney - Kitchen and -
only possible Extension.

South End of the house is 3 Car oversized garage.
One End. Huge wall no possibility for extension.

- Thank you.
Sincerely,
Ramkumar. U



Subject Photo Page

Attachment #②

Borrower/Client Ramkumar & Kathayani Vakamudi			
Property Address 2332 Wellington Estate Dr.			
City Chesterfield	County St. Louis County	State MO	Zip Code 63017
Lender First Community Credit Union			



Subject Front

2332 Wellington Estate Dr.
 Sales Price Refinance
 GLA 3,645
 Total Rooms 9
 Total Bedrms 4
 Total Bathrms 3.5
 Location Chesterfield
 View Homes
 Site .33 Acres
 Quality Br-Fr/Good
 Age 10

① Master Bedroom



Subject Rear

#①

Ⓚ Enclose over patio.





Subject Street











21R 540650



City of Chesterfield

DEPARTMENT OF PLANNING

APPLICATION FOR MUNICIPAL ZONING APPROVAL



TO: Department of Public Works
Division of Code Enforcement
St. Louis County Government
41 South Central
Clayton, Missouri 63105

FROM: City of Chesterfield

The City of Chesterfield contracts with the St. Louis County Department of Public Works to provide permitting and inspection services. Review of plans, collection of fees, and issuance of permits are handled by the County. However, before obtaining any permit, or beginning any construction project, a zoning approval must be obtained from the City of Chesterfield.

Zoning approval signifies that the property can be used as requested and that the location of a proposed structure is within the legal limits of the property lines as delineated by regulations contained within the City of Chesterfield Zoning Ordinance. Please be advised that some sites have regulations that are more restrictive as part of conditions of the ordinance governing a particular Planned Commercial District, Planned Industrial District, Estate District, Mixed Use Development District, Conditional Use Permit, Commercial-Industrial Designed Development Procedure, Planned Environmental Development Procedure, or Landmark Preservation Area.

Petitioners are strongly urged to visit the County web site at <http://www.stlouisco.com/pubworks/> or contact the St. Louis County Department of Public Works at (314) 615-7155 for submittal requirements, permitting information and a detailed list of work that does not require a building permit and/or zoning approval

For questions about this application, please contact the "Planner of the Day" at 636-537-4733.

I. APPLICANT INSTRUCTIONS

1. Obtain City of Chesterfield approval;
2. Obtain *Fire District approval; An additional separate permit is required from the fire district.
3. Obtain St. Louis County approval.

***NOTE:** It is the responsibility of the applicant to determine which Fire District covers the project property.

- Monarch Fire Protection District: Tel. 314-514-0900, ext. 309
- Metro West Fire Protection District: Tel. 636-458-2100

II. PROJECT INFORMATION

Property Owner: RAM KUMAR VAKAMUDE

Project Address: 2332 WELLINGTON EST DR

City: CHESTERFIELD State: MO Zip: 63017

Tenant Name (if different than above): _____

Owner/Tenant Authorization to Applicant: _____
(Signature of owner/tenant or duly authorized agent required)

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

Applicant Name: RAMKUMAR VAKAMUDE
Applicant Address: 2332 WELLINGTON EST DR - CHESTERFIELD
Phone Number: 636-236-8250 Attn: MO-63017

If the property is located within a subdivision, the applicant is to notify Subdivision Trustees of the proposed work.

Subdivision Name: WELLINGTON ESTATES, Lot 21, Ward 3
Subdivision Trustee Acknowledgement: Randy Bawn
(Signature of trustee or duly authorized agent)

Were the Subdivision Trustees Notified? Check (✓) one Yes No

Description of Work: Extension of few feet from kitchen and breakfast area - to sunroom sitting area on the existing patio.

Advisory: Applications for Municipal Zoning Approval which are rejected 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. For information about the Board of Adjustment, please contact the Department of Planning at 636-537-4746.

NOTE: PAGES 1, 2, & 3 MUST BE RETURNED FOR APPROVAL

(FOR CITY OF CHESTERFIELD AND ST. LOUIS COUNTY STAFF USE ONLY)

Municipal Zoning Classification: R2

Is this project located within a Flood Plain: (Check one) Yes No

Status 1: APPROVED **REJECTED** (circle one)

Approved/Rejected by: Derrick Redhead Date: 7/18/07

Print Name and Title: Derrick Redhead - Planning Tech

Comments: Encroaches Rear Setback.

Status 2: APPROVED **REJECTED** (circle one)

Approved/Rejected by: _____ Date: _____

Print Name and Title: _____

Comments: _____

EXTERIOR FIRE PROTECTION

Approved by: _____ Date: _____

Print Name and Title: _____

Fire Protection Provided By: _____

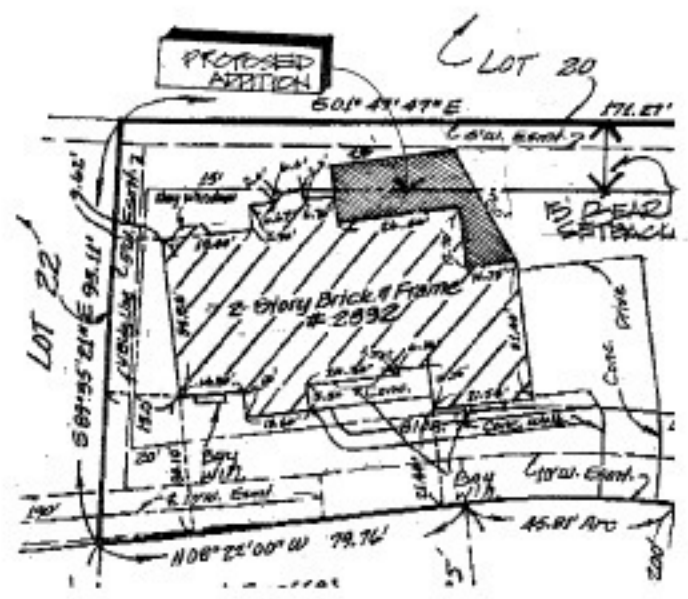
ST. LOUIS COUNTY PERMIT APPLICATION NUMBER: _____

Notes: _____



SITE SURVEY 1" = 40'

REJECT



SITE PLAN 1" = 20'



HEMPSHILL ARCHITECT, INC.
 11328 MOBILE LANE
 SAINT LOUIS, MISSOURI 63141
 (314) 872-8068

PROPOSED ADDITION TO:
 SINGLE FAMILY RESIDENCE
 2332 WELLINGTON ESTATES DR.
 CHESTERFIELD, MO.



BILL NO. 298

ORDINANCE NO. 294

AN ORDINANCE AMENDING THE CITY OF CHESTERFIELD ZONING ORDINANCE BY CHANGING THE BOUNDARIES OF THE "NU" NON-URBAN DISTRICT TO "R-2" 15,000 SQUARE FOOT RESIDENTIAL DISTRICT WITH A PLANNED ENVIRONMENTAL UNIT FOR A 11.7 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF CLAYTON ROAD (P.Z. 13 & 14-89 R. J. BARRY CONSTRUCTION, INC.).

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

Section 1. The City of Chesterfield zoning ordinance and official zoning district maps, which are a part hereof, are amended by transferring from the "NU" Non-Urban District to the "R-2" 15,000 Square Foot Residential District an 11.7 acre tract of land in the City of Chesterfield described as follows:

A tract of land in Fractional Section 23 Township 45 North Range 4 East and more particularly described as: Beginning at an old iron pipe in the most Southern corner of U. S. Survey 412, thence North 32 degrees 02 minutes West along the southwest line of said U. S. Survey 412, (being the Southwest line of Westerly Subdivision a subdivision recorded in Plat book 73 page 44, and the southwest line of Georgetown Estates a Subdivision recorded in Plat book 106 page 23 and the direct prolongation Northwestwardly of said Southwest line of Georgetown Estates,) 1008.00 feet to an old stone in the East line of a tract conveyed to Ethel Lee and husband by deed recorded in Book 2398 page 38, thence South 0 degrees 24 minutes West along the East line of said tract conveyed to Ethel Lee and husband 1350.81 feet to a point in the North line of Clayton Road, 60 feet wide; thence South 85 degrees 14 minutes 30 seconds East along the North line of Clayton Road 542.19 feet to an old stone line of a tract conveyed to Harry Ritzer and wife by deed recorded in Book 5911 page 456, thence North 0 degrees 24 minutes East along the West line of said tract conveyed to Harry Ritzer and wife 541.24 feet to the point of beginning, according to a survey executed by Stolwyk, McDaniel & Farrenbach, Inc., during the month of May 1967 containing 11.7403 acres.

Section 2. This preliminary approval, pursuant to the City of Chesterfield zoning ordinance, is granted subject to all the ordinances, rules and regulations and the specific conditions as recommended by the Planning Commission in its recommendation to the City Council which are set out in Attachment "B" which is attached hereto and made a part hereof.

Section 3. The City Council, pursuant to the petition filed by R. J. Barry Construction, Inc., in P.Z. 13 and 14-89, requesting the amendment embodied in this ordinance, and pursuant to the recommendation the City of Chesterfield Planning Commission that said petition be granted, and after public hearing held by the Planning Commission on March 27, 1989, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

Section 4. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 15TH day of May, 1989.

James M. Stankel
MAYOR

ATTEST:

Muriel L. DeMay
CITY CLERK

ATTACHMENT B

1. PERMITTED USES

This Planned Environment Unit (P.E.U.) authorizes the development of a maximum of twenty-eight (28) single-family residences, with a minimum lot size of 13,000 square feet.

2. PLAN SUBMITTAL REQUIREMENTS

Within eighteen (18) months from the date of approval of the preliminary development plan by the City Council and prior to the site preparation, the developer shall submit to the Planning Commission for its review and approval, a Site Development Plan. Where due cause is shown by the developer, this time interval may be extended through appeal to and approval by the Planning Commission in accordance with requirements of Section 1003.187 of the City of Chesterfield Zoning Ordinance.

3. GENERAL CRITERIA

The Site Development Plan shall include the following:

- a. Outboundary plat and legal description of the property.
- b. A general development plan, indicating the basic location, size and arrangement of lots and roadways on and adjacent to the property, setback lines and, if appropriate, a typical lot and minimum and maximum lot size.
- c. The location and size of all freestanding signs, lighting, fences, sidewalks and other above ground structures except retaining walls.
- d. Existing and proposed contours at vertical intervals of not more than two (2) feet.
- e. A preliminary plan for storm and sanitary sewer facilities.
- f. Density calculations.
- g. A landscape plan including, but not limited to, the location, size and general type of all plant materials to be used.
- h. All other preliminary plat requirements.

4. SITE DEVELOPMENT PLAN DESIGN CRITERIA

The above Site Development Plan shall adhere to the following specific design criteria:

Building and Structure Setbacks

- a. Front yard: Minimum setback shall be twenty (20) feet from road right-of-way.
- b. Side yard: Minimum setback shall be eight (8) feet from adjoining property lines.
- c. Rear yard: Minimum setback shall be fifteen (15) feet from adjoining property lines.

Access and Roadway Improvements, Including Sidewalks

- d. Internal streets and drives shall be in accordance with the City of Chesterfield Subdivision Ordinance.
- e. Dedicate right-of-way and easements (45 feet from centerline of Clayton Road), in accordance with preliminary plans on file with the Missouri Highway and Transportation Department.
- f. Grade Clayton Road for future five (5) lane facility at the portion servicing developer's property, with entrance geometrics and design in accordance with M.H.T.D. standards.
- g. Provide a sidewalk or stabilized shoulder adjacent to Clayton Road.
- h. Access to the 11.7 acre development shall be via one curbcut onto Clayton Road, in accordance with the standards set by the Missouri State Highway Department.
- i. No private driveway access to Clayton Road shall be permitted.
- j. If required sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, and other off-site improvements may be required to provide the required sight distance as directed by the Missouri Highway and Transportation Department.

Landscape Requirements

- k. All new deciduous trees shall be a minimum of one and one-half inches in caliper. All new evergreen trees shall be a minimum of four (4) feet in height, and all shrubs shall have a minimum diameter of eighteen (18) inches.
- l. Retention of existing tree masses and individual trees shall be provided for, notably in the area along Clayton Road. Trees to be retained and all proposed landscaping shall be depicted on the site development plan.
- m. All landscape improvements shall be escrowed along with the other standard subdivision improvements.

Miscellaneous Conditions

- n. Except for required street lighting, no source of illumination shall be so situated that light is cast on any public right-of-way or adjoining property. Lighting shall be required in compliance with the City of Chesterfield Subdivision Ordinance.
- o. Required street lighting and sidewalks within the development, including any sidewalk constructed along Clayton Road as part of this development, shall be depicted on the site development plan, and escrows shall be established for these improvements.
- p. Any signs shall be erected in accordance with the "R-2" Residence District.
- q. Exterior trash areas in common ground (if any) shall be surrounded by a six (6) foot high sight-proof fence.
- r. Architectural elevations, building materials, and colors shall be reviewed and approved by the Planning Commission, with the Site Development Plan.
- s. Except as herein noted, the developer shall comply with all preliminary plat requirements of the City of Chesterfield Subdivision Ordinance.

5. VERIFICATIONS PRIOR TO APPROVAL

Prior to approval of the Site Development Plan, the developer shall provide the following:

Stormwater

- a. Submit to the Planning Commission a preliminary engineering plan approved by the Department of Public Works showing that adequate handling of the stormwater drainage of the site is provided.
 - (1) The developer is required to provide adequate stormwater systems in accordance with City of Chesterfield standards, and those standards established by the State of Missouri, as they pertain to Clayton Road.
 - (2) All stormwater shall be discharged at an adequate natural discharge point.
 - (3) Detention of differential runoff of stormwater is required by providing permanent detention facilities, such as dry reservoirs, ponds or another acceptable alternative. The detention facilities shall be completed and in operation prior to issuance of building permits exceeding sixty percent (60%) of the approved dwelling units.
 - (4) Additional detention capacity may be required in order not to exacerbate existing stormwater problems within the area of this development.

Roadway Improvements and Curb Cuts

- b. Provide verification of approval by the Missouri Highway and Transportation Department of the location of proposed curb cuts, areas of new dedication, and roadway improvements.

Geotechnical Report

- c. Submit a geotechnical report prepared by a professional engineer licensed in the State of Missouri for review and approval by the Department of Public Works. Said report shall verify the adaptability of grading and improvements with soil and geologic conditions. A statement of compliance with this study, signed by the Geotechnical Engineer preparing the report, shall be included on all Site Development Plans.

6. RECORDING

Within sixty (60) days of approval of the Site Development Plan by the Planning Commission, the approved plan shall be recorded with the St. Louis County Recorder of Deeds.

7. VERIFICATION PRIOR TO BUILDING PERMITS

Subsequent to approval of the Site Development Plan and prior to the issuance of any building permit, the following requirements shall be met:

Development Phasing

- a. The developer shall furnish a bond or place into escrow the monies necessary to insure the construction of improvements and landscaping as necessary. If development phasing is anticipated, the developer shall provide the necessary funds, as above, for each plat or phase of development.
- b. Building permits shall not be issued prior to completion of right-of-way dedication, easements, and licenses required in conditions 4.e., 4.f, and 4.g.

Notification of Department of Planning/Economic Development

- c. Prior to the issuance of foundation or building permits, all approvals from the Department of Planning/Economic Development, the Missouri Highway and Transportation Department, the Metropolitan St. Louis Sewer District, and the City's Department of Public Works, must be received by the Department of Planning and Economic Development.

Certification of Plans

- d. Provide verification that construction plans are designed to conform to the requirements and conditions of the Geotechnical Report. The Geotechnical Engineer shall be required to sign and seal all plans with a certification that the proposed construction will be completed in accordance with the grading and soils requirements and conditions contained in the report.

8. GENERAL DEVELOPMENT CONDITIONS

- a. Within two (2) years of the date of approval of the Site Development Plan by the Planning Commission, construction shall commence. Said time may be extended one additional year on approval by the Planning Commission.
- b. A grading permit is required prior to any grading on the site. No change in watersheds shall be permitted. Interim stormwater drainage control in the form of siltation control measures is required.
- c. If cut and fill operations occur during a season not favorable for immediate establishment of a permanent ground cover, a fast germinating annual such as rye grasses or sudan grasses shall be utilized to retard erosion.
- d. Additional lanes and/or widening, pavement thickness, drainage facilities, granular base, traffic control devices and other improvements may be required to accommodate heavy traffic volumes, unsuitable soil conditions, steep grades, or other conditions not apparent at this time.
- e. Provide adequate temporary off-street parking for construction employees. A temporary construction entrance will be required. Parking on non-surfaced areas should be prohibited in order to eliminate the condition whereby mud from construction and employee vehicles is tracked onto the pavement causing hazardous roadway and driving conditions.
- f. A copy of the most recently approved Site Development Plan for this P.E.U. development shall at all times be prominently displayed in all display area sales offices within this development.
- g. Roadways in this development are to be owned and maintained by the City of Chesterfield, in accordance with the standards established by the City of Chesterfield. If roadways are to be private, these roadways shall remain private forever. Maintenance of private roadways shall be the responsibility of the property owner(s) or trustees forever.
- h. Maintenance of subdivision streets, including, but not limited to, snow removal, shall be the responsibility of the developer, until such time as the streets are accepted for maintenance by the City of Chesterfield.

- i. Failure to comply with any or all of the conditions of this ordinance shall be adequate cause for revocation of permits by issuing City Departments or Commissions.
- j. The Zoning Enforcement Officer of the City of Chesterfield, Missouri, shall enforce the conditions of this ordinance in accordance with Site Development Plans approved by the Planning Commission and the Department of Planning/Economic Development.

[PZ13-14B] (revised 5-10-89)