CITY OF DARDENNE PRAIRIE
2032 HANLEY ROAD
DARDENNE PRAIRIE, MO 63368

BOARD OF ADJUSTMENT
MEETING AGENDA
OCTOBER 7, 2014
6:00 P.M.

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL:
- Jim Stanton
- Ken Johnson
- Judith Helms
- James Mutz
- Tom Shelton
- Scott Giles (Alternate)
- Alan Kowaleski (Alternate)

ELECTION OF CHAIRMAN

ELECTION OF VICE CHAIRMAN

PUBLIC HEARING

A Variance Request for the 3.06-acre tract of land located at Stoney Brook Second Plat, Lot 24 commonly known as 2307 Stoney Brook Lane from Applicant and Property Owner Donald J. and Kim M. Callahan.

The variance requested is relief from Regulations and Performance Standards related to Yard Requirements. The requested variance is to allow a front yard of 15 to 20 feet (prefer 20 feet) forward from existing build line noted on survey for Lot 24.

NEW BUSINESS

A Variance Request for the 3.06-acre tract of land located at Stoney Brook Second Plat, Lot 24 commonly known as 2307 Stoney Brook Lane from Applicant and Property Owner Donald J. and Kim M. Callahan.

The variance requested is relief from Regulations and Performance Standards related to Yard Requirements. The requested variance is to allow a front yard of 15 to 20 feet (prefer 20 feet) forward from existing build line noted on survey for Lot 24.

- Roll Call Vote

CONSENT AGENDA

Approval of Minutes – 04-01-14

ADJOURNMENT

BOARD OF ADJUSTMENT **APRIL 1, 2014**

The City of Dardenne Prairie Board of Adjustment meeting was called to order at 6:03 p.m. The meeting was held at Dardenne Prairie City Hall located at 2032 Hanley Road.

The meeting was opened with the Pledge of Allegiance.

Present at roll call were members Johnson, Mueller, Vogel and Alternates Helms and Giles.

A motion was made by Johnson, Seconded by Mueller to nominate Randy Vogel as Chairman. With no additional nominations, motion passed unanimously to elect Randy Vogel as Chairman.

A motion was made by Johnson, Seconded by Helms to nominate Mike Mueller as Vice-Chairman. With no additional nominations, motion passed unanimously to elect Mike Mueller as Vice-Chairman.

NEW BUSINESS

1. Approval of Findings of Fact Conclusion of Law – 02-11-14

A motion was made by Johnson, Seconded by Mueller to approve the Findings of Fact Conclusion of Law. Motion passed unanimously. Roll call was as follows:

Johnson – Aye	Mueller – Aye
Helms – Aye	Vogel – Aye
Giles - Aye	

CONSENT AGENDA

Approval of Minutes – 02-11-14
Approval of Transcript – 02-11-14

A motion was made by Mueller, Seconded by Johnson to approve the consent agenda. Motion passed unanimously.

ADJOURNMENT

A motion was made by Johnson, Seconded by Mueller to adjourn the meeting at 6:07 p.m. Motion passed unanimously.

Respectfully submitted,

_____

Kim Clark
City Clerk

MEMO

TO: Dardenne Prairie Board of Adjustment

FROM: Luke R. Kehoe, P.E., CFM, LEED AP, City Engineer
Kehoe Engineering Company, Inc. (KEC)

DATE: September 26, 2014

SUBJECT: Board of Adjustment Meeting at 6:00 p.m. on October 7, 2014

Items for consideration at this meeting include:

PUBLIC HEARING:

1. **A Variance Request for the 3.06-acre tract of land located at Stoney Brook Second Plat, Lot 24 commonly known as 2307 Stoney Brook Lane from Applicant and Property Owner Donald J. and Kim M. Callahan.** This property is located in the Stoney Brook subdivision and in the R-1A, Single-family Residential zoning district. The property owner is requesting relief from Section 405.140.D.5 of the City Code relating to minimum yard requirements (more particularly described in the enclosed application received by the City on August 12, 2014).

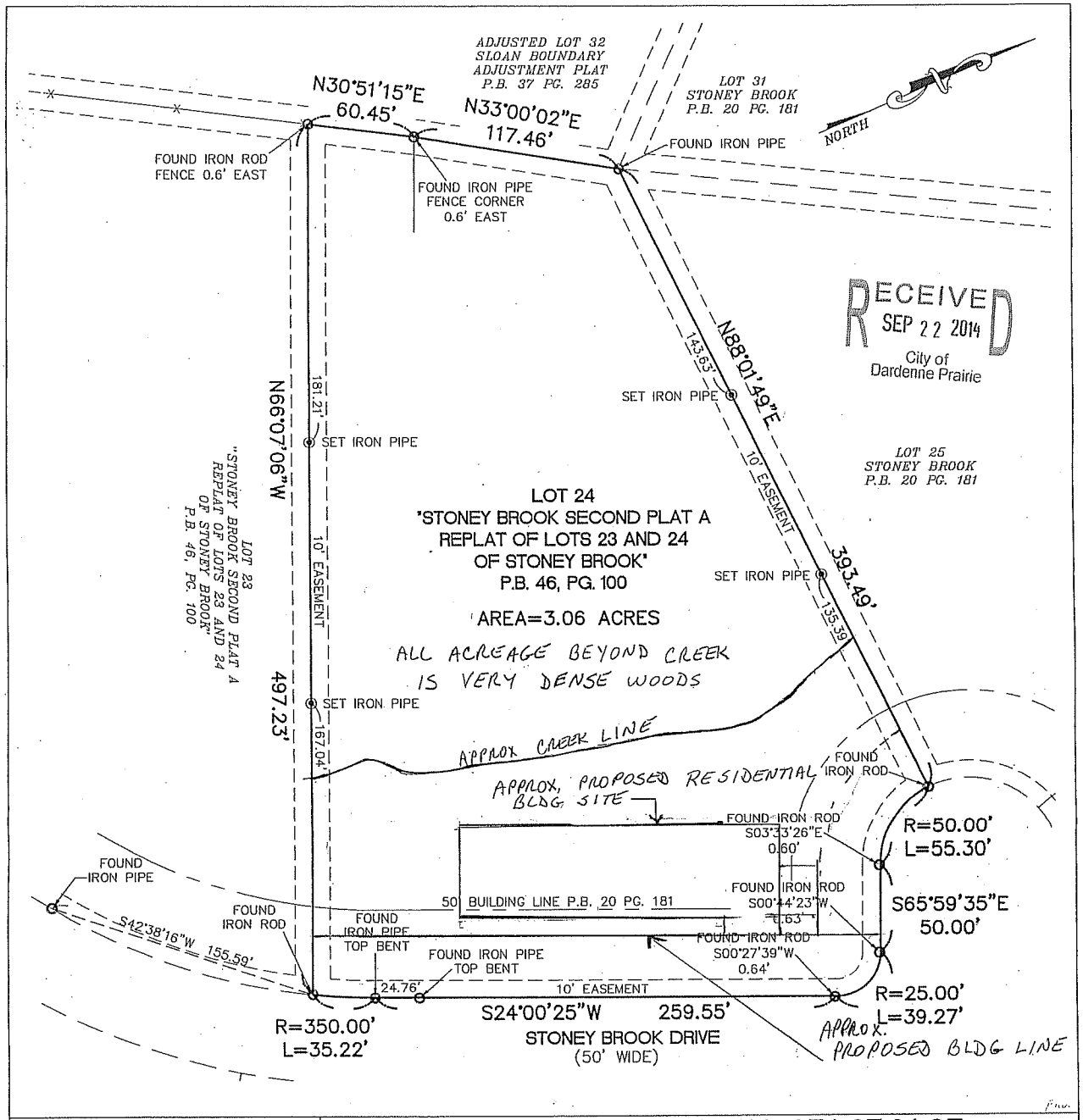
   The variance requested is relief from Regulations and Performance Standards related to Yard Requirements. The requested variance is to allow a front yard of 15 to 20 feet (prefer 20 feet) forward from existing build line noted on survey for Lot 24. A copy of the variance application received by the City on August 12, 2014 along with the site plan/property boundary survey received by the City on August 22, 2014, and the City's notice of public hearing for this request are enclosed for your reference.

REGULAR BUSINESS

1. **A Variance Request for the 3.06-acre tract of land located at Stoney Brook Second Plat, Lot 24 commonly known as 2307 Stoney Brook Lane from Applicant and Property Owner Donald J. and Kim M. Callahan** From Public Hearing Item 1 above.

Enclosures

cc: Pamela Fogarty, Mayor
Dave Kampelman, Board of Aldermen President
Kim Clark, City Clerk
John Young, City Attorney



FRAZIER LAND SURVEYING SERVICES, INC.
705 BALLANTRAE DR.
WENTZVILLE, MO. 633485
PHONE: 636-332-0610
FAX: 636-332-0710

PROJECT NO. 12-1265 MARCH 16, 2012

SCALE: 1"=60'

A TRACT OF LAND BEING ALL OF LOT 24 OF "STONEY BROOK SECOND PLAT A REPLAT OF LOTS 23 AND 24 OF STONEY BROOK", P.B. 46, PG. 100, TOWNSHIP 46 NORTH, RANGE 3 EAST OF THE FIFTH PRINCIPAL MERIDIAN, ST. CHARLES COUNTY, MISSOURI

PROPERTY BOUNDARY SURVEY

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT WE HAVE, DURING THE MONTH OF MARCH 2012, BY THE ORDER OF DONALD CALLAHAN, EXECUTED A PROPERTY BOUNDARY SURVEY ON A TRACT OF LAND BEING ALL OF LOT 24, OF "STONEY BROOK SECOND PLAT A REPLAT OF LOTS 23 & 24 OF STONEY BROOK", A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 46, PAGE 100 OF THE ST. CHARLES COUNTY RECORDS, TOWNSHIP 46 NORTH, RANGE 3 EAST OF THE FIFTH PRINCIPAL MERIDIAN, ST. CHARLES COUNTY, MISSOURI. THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS FOR URBAN PROPERTY.

GENERAL NOTES:

THIS SURVEY IS SUBJECT TO, EASEMENTS OF RECORD, EASEMENTS OR CLAIMS OF EASEMENTS NOT REVEALED IN THE PUBLIC RECORDS, RIGHTS OR CLAIMS OF RIGHTS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORD, IF ANY AND DEFECTS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, AND COVENANTS AND RESTRICTIONS.

BUILDING LINES AND EASEMENTS AS SHOWN IN PLAT BOOK 46, PAGE 100.
BASIS OF BEARINGS ADOPTED FROM PLAT BOOK 46, PAGE 100.

STATE OF MISSOURI
DENNIS C. FRAZIER
NUMBER LS-2002000247
REGISTERED LAND SURVEYOR

Dennis C Frazier 3/18/12

DENNIS C. FRAZIER
FRAZIER LAND SURVEYING SERVICES, INC.
MISSOURI PROFESSIONAL LAND SURVEYOR #2002000247

RECEIVED
AUG 12 2014
City of
Dardenne Prairie

PAID
AUG 12 2014
BY MH/8082/$920.00
CK

VARIANCE APPLICATION

CITY OF DARDENNE PRAIRIE, MISSOURI

www.DardennePrairie.org

For use in applying for a hearing before the Board of Adjustment empowered to:

a. Hear and decide appeals where it is alleged there is an error in any order, requirements, decision, or determination made by an administrative official in the enforcement of any adopted ordinance pertaining to zoning matters.
b. Hear and decide all matters referred to it or upon which it is required to pass under any ordinance.
c. Pass 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 such regulation 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.

Fee: There is an application fee for processing a variance, which covers the publishing of a public notice for the hearing, recording the hearing and processing the application. A copy of the City's Fee Schedule is kept on file with the Dardenne Prairie City Clerk.

LEGAL DESCRIPTION: (Attach deed or other document containing the legal description of the tract of land, if applicable, or enter the subdivision name and lot number below.)

GENERAL WARRENTY DEED AND SURVEY

MAP: (Attach a scaled map showing the property's location and boundaries, if applicable.)

____ Application fee of $ 920.00 is provided.

____ Fifteen (15) folded copies of the Plan(s) are provided.

____ Legal description (hard copy and electronic media) is provided. Electronic files may be sent via email to the City Engineer (engineer@dardenneprairie.org).

____ A list of property owners with property within 185 feet and their addresses (hard copy and electronic media) is provided. Electronic files may be sent via email to the City Engineer (engineer@dardenneprairie.org).

____ The applicant is required to appear before the Board of Adjustment.

PRESENT ZONING: RESIDENTIAL

VARIANCE REQUESTED: REQUESTING TO MOVE BUILD LINE 15 TO 20 FEET (PREFER 20 FEET) FORWARD FROM EXISTING BUILD LINE NOTED ON SURVEY FOR LOT 24.
2307 STONEY BROOK DR.

Rev 04/07

JUSTIFICATION FOR VARIANCE REQUESTED: MOVING BUILD LINE WILL ALLOW MORE AREA BETWEEN BACK OF HOME AND THE WET WEATHER CREEK.

Names and addresses of every landowner and resident adjoining your property, across the street from your property and cater-cornered from your property (attach additional as required):

BRADLEY & VICKIE FUGATE 2303 STONEY BROOK DR.
CLARENCE, LISA & LAURA LANGSTON 2305 STONEY BROOK DR.
ROBERT & KERRY SCHINDLER 2308 STONEY BROOK DR.
JULIE SCHALLERT 2309 STONEY BROOK DR.
MADHAVAN & REMANI NATESAN 2310 STONEY BROOK DR.
JAMES & LINDA COLLINS 2312 STONEY BROOK DR.
WILLIAM BLACK 2314 STONEY BROOK DR.

Donald J Callahan
Kim M. Callahan (Spouse)
OWNER (Individual or Company)

Donald J Callahan 8-12-14
Kim M Callahan
Authorized Signature Date

DONALD J. CALLAHAN
Kim M. Callahan
Printed Name, Title

1105 RIDGEWAY DR
Street Address

LAKE ST. LOUIS, MO. 63367
City/State/Zip Code

636-561-7881
Telephone Facsimile

Email Address

Donald J Callahan
Kim M. Callahan
APPLICANT (Individual or Company)

Donald J Callahan 8-12-14.
Kim M. Callahan
Authorized Signature Date

DONALD J. CALLAHAN
Kim M. Callahan
Printed Name, Title

1105 RIDGEWAY DR.
Street Address

LAKE ST. LOUIS, MO. 63367
City/State/Zip Code

636-561-7881
Telephone Facsimile

Email Address

NOTE: By affixing signatures to this application form, the Applicant and Owner hereby verify that: they have reviewed the applicable zoning regulations; they are familiar with the specific requirements relative to this application; and they take full responsibility for this application. The above signatures further indicate that the information provided on this form and any additional data attached hereto is true, complete, and accurate.

Rev 04/07

20110506000279200 W D
Bk:DE5584 Pg:304
05/06/2011 12:27:05 PM 1/2
CERTIFIED-FILED FOR RECORD
Barbara J. Hall
Recorder of Deeds
St. Charles County, Missouri
BY:KAUERSWALD

File No. 11-02238 UST

GENERAL WARRANTY DEED

THIS DEED, made and entered into as of this 28th day of April, 2011, by and between **Dolores M. Caldwell, a single person** party(ies) of the first part/Grantor(s) whose mailing address is: 2307 Stoney Brook Drive, Dardenne Prairie, MO 63368 of the City/County of St. Charles State of Missouri and **Donald J. Callahan, a single person** party(ies) of the second part/Grantee(s) whose mailing address is: 13 Benjamin Court, Troy, MO 63379 of the City/County of Lincoln State of Missouri.

WITNESSETH, that the said party(ies) of the first part, for and in consideration of the sum of One Dollar ($1.00) and other valuable considerations paid by the said party(ies) of the second part, the receipt of which is hereby acknowledged, does or do by these presents GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the said party(ies) of the second part, the following described Real Estate, situated in the **County** of **St. Charles** and State of **Missouri**, to wit:

Lot 24 of Stoney Brook Second Plat, being a Resubdivision of Lots 23 and 24 of Stoney Brook, according to the plat thereof recorded in Plat Book 46 page(s) 100 of the St. Charles County Records.

Subject to: deed restrictions, easements, rights of way of record, and zoning regulations.
Locator Number: T102400003

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the said party(ies) of the second part, and to the heirs and assigns of such party(ies) forever.

The said party(ies) of the first part hereby covenanting that said party(ies) and the heirs, executors and administrators of such party(ies), shall and will WARRANT AND DEFEND the title to the premises unto the said party(ies) of the second part, and to the heirs and assigns of such party(ies) forever, against the lawful claims of all persons whomsoever, excepting, however, the general taxes for the calendar year 2011 and thereafter, and special taxes becoming a lien after the date of this deed.

Recorded Electronically
ID _____
County _____
Date _____ Time _____
Simplifile.com 800.460.5657

File No. 11-02238 UST

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GENERAL WARRANTY DEED (Continued)

IN WITNESS WHEREOF, the said party(ies) of the first part has or have hereunto set their hand or hands the day and year first above written.

Dolores M Caldwell

Dolores M. Caldwell

STATE OF MISSOURI)
)ss.
COUNTY of ST. CHARLES)

On this 28th day of April , 2011, before me personally appeared Dolores M. Caldwell, a single person to me known to be the person or persons described in and who executed the foregoing instrument, and acknowledged that he / she / they executed the same as his / her / their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County / City and State aforesaid, the day and year first above written.

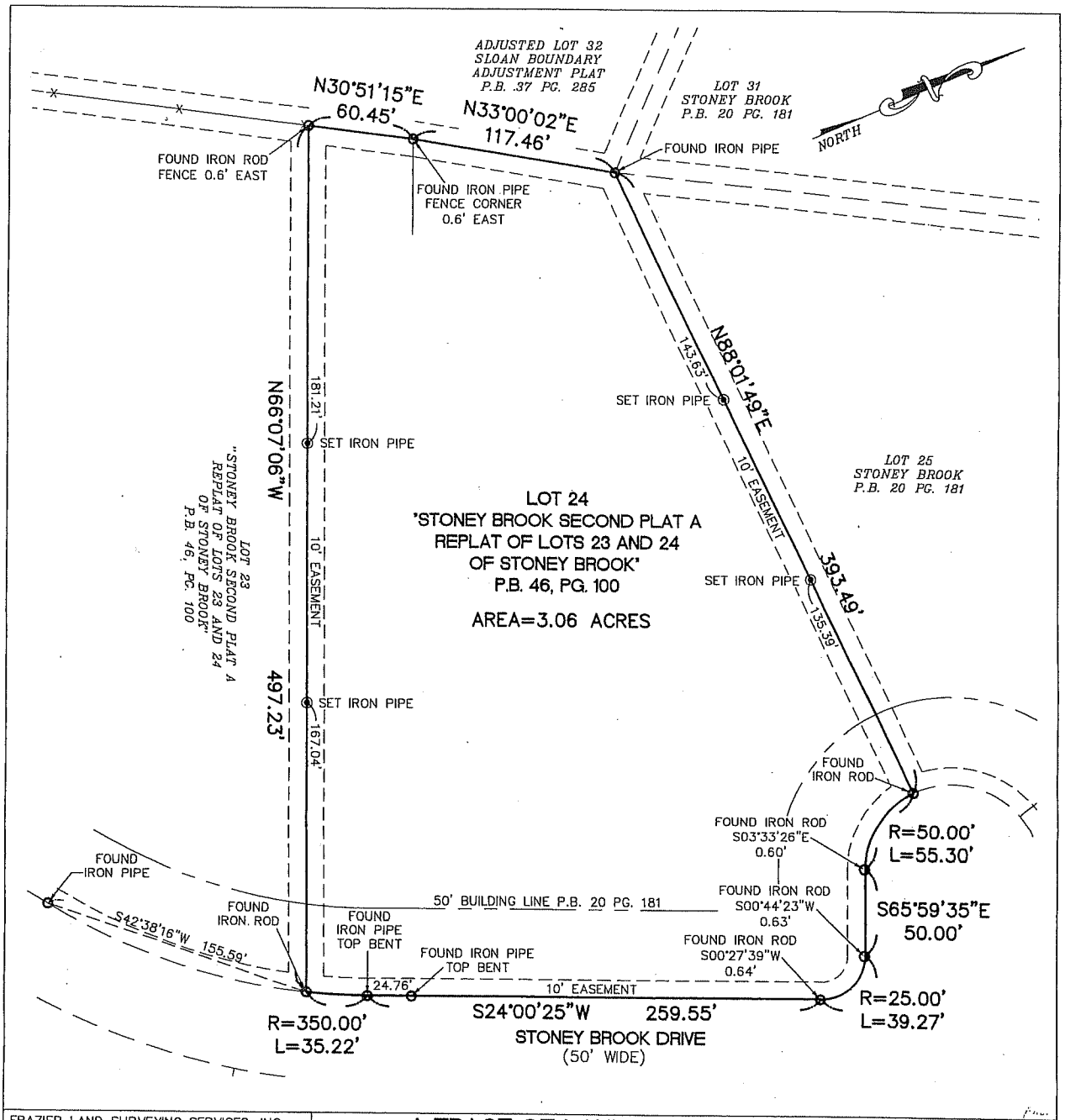
Danette Vellia

Notary Public

My term expires:

NOTARY PUBLIC NOTARY SEAL STATE OF MISSOURI

DANETTE VELLIA
My Commission Expires
November 29, 2011
St. Charles County
Commission #07479625



FRAZIER LAND SURVEYING SERVICES, INC.
705 BALLANTRAE DR.
WENTZVILLE, MO. 633485
PHONE: 636-332-0610
FAX: 636-332-0710

PROJECT NO. 12-1265 MARCH 16, 2012

SCALE: 1"=60'

A TRACT OF LAND BEING ALL OF LOT 24 OF "STONEY BROOK SECOND PLAT A REPLAT OF LOTS 23 AND 24 OF STONEY BROOK", P.B. 46, PG. 100, TOWNSHIP 46 NORTH, RANGE 3 EAST OF THE FIFTH PRINCIPAL MERIDIAN, ST. CHARLES COUNTY, MISSOURI

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BUILDING LINES AND EASEMENTS AS SHOWN IN PLAT BOOK 46, PAGE 100.
BASIS OF BEARINGS ADOPTED FROM PLAT BOOK 46, PAGE 100.

STATE OF MISSOURI
DENNIS C. FRAZIER
NUMBER LS-2002000247
REGISTERED LAND SURVEYOR

Dennis C Frazier 3/18/12

DENNIS C. FRAZIER
FRAZIER LAND SURVEYING SERVICES, INC.
MISSOURI PROFESSIONAL LAND SURVEYOR #2002000247

DARDENNE
PRAIRIE
www.DardennePrairie.org

City Engineer
Phone 636.978.6008
Fax 636.898.0923
Engineer@DardennePrairie.org

City Hall
2032 Hanley Road
Dardenne Prairie, MO 63368
Phone 636.561.1718
Fax 636.625.0077

CERTIFICATE OF MAILING

I hereby certify that the attached letter and Notice of Public Hearing, were sent by ordinary, first class mail, to the Property Owners on the attached list this 22nd day of September, 2014.

Luke R. Kehoe, P.E., CFM, City Engineer
Kehoe Engineering Company, Inc.

DARDENNE
PRAIRIE
www.DardennePrairie.org

City Hall
2032 Hanley Road
Dardenne Prairie, MO 63368
Phone 636.561.1718
Fax 636.625.0077

September 22, 2014

Re: Notice of Public Hearing
Dardenne Prairie, Missouri

Dear Property Owner:

Attached is a copy of a Notice of Public Hearing regarding a variance application received by the City of Dardenne Prairie for land near your property. Please be advised that if you oppose or support this variance application, you have the right to be heard at the public hearing.

If you have any questions, please feel free to contact me at (636) 978-6008.

Sincerely,
KEHOE ENGINEERING COMPANY, INC.

Luke R. Kehoe, P.E., CFM, LEED AP
City Engineer

Attachment

cc: Pamela Fogarty, Mayor
Kim Clark, City Clerk
Dardenne Prairie Planning and Zoning Commission
Dardenne Prairie Board of Aldermen
Dardenne Prairie Board of Adjustment
Donald J. and Kim M. Callahan, Applicant

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Dardenne Prairie, Missouri, will conduct a Public Hearing before the Board of Adjustment on Tuesday, October 7, 2014, at 6:00 p.m., or as soon thereafter as same may be heard, at the City of Dardenne Prairie City Hall located at 2032 Hanley Road in Dardenne Prairie, Missouri, concerning the following variance request:

REQUEST FOR VARIANCE

Name of Applicant:	Donald J. and Kim M. Callahan
Name of Owners:	Donald J. and Kim M. Callahan
Present Zoning: Classification:	R-1A, Single-family Residential
Variance Requested:	Relief from Section 405.140.D.5 of the City Code relating to minimum yard requirements.
Property Location:	The approximate 3.06-acre tract of land located at Stoney Brook Second Plat, Lot 24 commonly known as 2307 Stoney Brook Lane, and more particularly described in the Variance Request received by the City on August 12, 2014, on file with the City Clerk.

No.	Parcel Id	Situs Address	Owner(s)	Mailing Address
426090A003	2-0067-5309-00-0003.00	2306 STONEY BROOK DR	HENNING DOUGLAS E	2306 STONEY BROOK DR, DARDENNE PRAIRIE MO, 63368
426090A004	2-0067-5309-00-0004.00	2308 STONEY BROOK DR	SCHINDLER ROBERT C*SCHINDLER KERRY L	2308 STONEY BROOK DR, DARDENNE PRAIRIE MO, 63368
426090A005	2-0067-5309-00-0005.00	2310 STONEY BROOK DR	NATESAN MADHAVAN M*NATESAN REMANI M	2310 STONEY BROOK DR, DARDENNE PRAIRIE MO, 63368
426090A006	2-0067-5309-00-0006.00	2312 STONEY BROOK DR	COLLINS JAMES D*COLLINS LINDA J	2312 STONEY BROOK DR, DARDENNE PRAIRIE MO, 63368
426090A007	2-0067-5309-00-0007.00	2314 STONEY BROOK DR	BLACK WILLIAM KEITH	2314 STONEY BROOK DR, DARDENNE PRAIRIE MO, 63368
426090A025	2-0067-5309-00-0025.00	2305 STONEY BROOK DR	LANGSTON CLARENCE E*LANGSTON LISA MARIE*LANGSTON LAURA	2305 STONEY BROOK DR, DARDENNE PRAIRIE MO, 63368
426090A026	2-0067-5309-00-0026.00	2303 STONEY BROOK DR	FUGATE BRADLEY W*FUGATE VICKIE L	2303 STONEY BROOK DR, DARDENNE PRAIRIE MO, 63368
426090A031	2-0067-5309-00-0031.00	4 BROOKHURST CT	LYONS JOHN DAVID*LYONS ROSE M	4 BROOKHURST CT, DARDENNE PRAIRIE MO, 63368
T022400001	2-0067-8661-00-0032.00	3 BROOKHURST CT	STEWART FAMILY TRUST	3 BROOKHURST CT, DARDENNE PRAIRIE MO, 63368
T022400002	2-0067-8661-00-0033.00	2 BROOKHURST CT	SLOAN DENNIS*SLOAN CHRISTINA	2 BROOKHURST CT, DARDENNE PRAIRIE MO, 63368-3556
T062400372	2-0123-9825-00-0010.00	119 STERLING CROSSING DR	GORCZYCA KRZYSZTOF*BRUNO ALINA C	119 STERLING CROSSING DR, DARDENNE PRAIRIE MO, 63368
T062400373	2-0123-9825-00-0011.00	121 STERLING CROSSING DR	SMITH MARK A*SMITH JULIE H	121 STERLING CROSSING DR, DARDENNE PRAIRIE MO, 63368-7356
T062400374	2-0123-9825-00-0012.00	123 STERLING CROSSING DR	MEYER BRENT*MEYER KATHERINE	123 STERLING CROSSING DR, OFALLON MO, 63368
T102400002	2-0067-A679-00-0023.00	2309 STONEY BROOK DR	SCHALLERT JULIE	2309 STONEY BROOK DR, DARDENNE PRAIRIE MO, 63368
T102400003	2-0067-A679-00-0024.00	2307 STONEY BROOK DR	CALLAHAN DONALD J	1105 RIDGEWAY DR, LAKE ST LOUIS MO, 63367-4800