

Substitute Bill No. 5062

Ordinance No. _____

Requested by: Michael Hurlbert

Sponsored by: Joe Brazil

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE COUNTY OF ST. CHARLES, MISSOURI, BY REZONING LAND FROM A, AGRICULTURAL DISTRICT, TO RR, SINGLE FAMILY RESIDENTIAL DISTRICT, PER APPLICATION RZ22-05

WHEREAS, the St. Charles County Charter, Article II, Section 2.529, grants to the County Council legislative power pertaining to planning and zoning in the part of the County outside incorporated cities, towns and villages; and

WHEREAS, a change in zoning of land located at 3866 South Point Prairie Road was requested by Grapenthin Family Limited Partnership, and Kenneth Baker and Michelle Baker, property owner(s), and Lombardo Homes of St. Louis, LLC, applicant/contract purchaser, through Application RZ22-05; and

WHEREAS, the tract to be rezoned is a 96.27-acre parcel currently zoned A, Agricultural District; and

WHEREAS, the zoning sought for the tract to be rezoned is RR, Single Family Residential District; and

WHEREAS, adjacent land to the north is zoned A, Agricultural District and contains vacant property, a single family residence, and a telecommunications tower; adjacent land to the south is zoned A, Agricultural District and contains a single family residence and farmland;

adjacent land to the east is zoned A, Agricultural District and contains a single family residence; and adjacent land to the west is zoned A, Agricultural District and contains a single family residence and vacant property; and

WHEREAS, the Planning and Zoning Commission of the County of St. Charles, Missouri, considered this application and on a vote of 8 ayes to 1 nay recommended the matter for approval to the County Council. Over 30% of the owners of real property within one thousand (1,000) feet of the parcel of land for which the revision is being proposed have submitted a written protest (legal remonstrance) against the proposed subject rezoning action pursuant to Section 405.535.B.3 of the Ordinances of St. Charles County, Missouri (“OSCCMo”), therefore, a super majority vote of five (5) of the total seven (7) Council Members is required for passage of this bill.

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

Section 1. The Zoning District Map of the County of St. Charles, Missouri, is hereby amended by making the following change:

A 96.27-acre tract of land located at 3866 South Point Prairie Road is hereby rezoned from A, Agricultural District, to RR, Single Family Residential District. The tract of land is more particularly described on **EXHIBIT A**, attached hereto.

Section 2. The Director of the Planning and Zoning Division is hereby authorized to acknowledge approval on Application RZ22-05 as set forth in Section 1., above.

Section 3. The Council hereby receives the following documents into the record: the St. Charles County Master Plan Year 2030; the Unified Development Ordinance of St. Charles County, Missouri; and the documents attached hereto as **EXHIBIT B**, containing the plats and plans and any other documents relied on in reaching this determination of the Council.

Section 4. This ordinance will be in full force and effect from and after the date of its passage and approval.

DATE PASSED

DATE APPROVED BY COUNTY EXECUTIVE

CHAIR OF THE COUNCIL

COUNTY EXECUTIVE

ATTEST:

COUNTY REGISTRAR