Amended Bill No. 4864
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 RZ20-07

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 on the west side of Busdieker Drive approximately 300 feet south of Foristell Road was requested by Hyman H. Kaye, Trustee of Hyman H. Kaye Revocable Trust, u/t/a September 23, 2005, property owner, and Greystone Holdings, LLC, developer, through Application RZ20-07; and

WHEREAS, the tract to be rezoned is a 84.203-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 RR, Single-Family Residential District and A, Agricultural District and is the site of single-family residences; adjacent land to the south is zoned A, Agricultural District and is the site of
vacant property; adjacent land to the east is zoned A, Agricultural District and is the site of vacant property; and adjacent land to the west is zoned A, Agricultural District and is the site of single-family residences and vacant property; and

WHEREAS, the County’s 2030 Master Plan recommends future Rural Residential land uses with less than one dwelling per acre; and

WHEREAS, the Planning and Zoning Commission of the County of St. Charles, Missouri, considered this application and on a vote of 6 ayes to 2 nays recommended the matter for approval to the County Council. [A simple majority of the County Council is required for passage of this bill.]

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, the supermajority vote of five (5) of the total seven (7) Council Members is required to pass 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:

An 84.20-acre tract of land located on the west side of Busdieker Drive, approximately 300 feet south of Foristell Road and identified in the records of the St.
Charles County Assessor as parcel ID No. 3-0028-S021-00-0006.0000000 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 RZ20-07 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