



ZONING ORDINANCE CHANGE PETITION

CITY OF BALLWIN } FEE: with site plan review \$ 1,250.00
} without site plan review \$ 500.00
COUNTY OF ST. LOUIS } PAID: N/A
STATE OF MISSOURI } NUMBER: Z-23-04

TO THE BOARD OF ALDERMEN
CITY OF BALLWIN

Type of Zoning Ordinance Change: Rezoning of the lots in
Charleston Oaks Subdivision from St Louis County's
R-3 District to the City of Ballwin's R-3
District

Now comes (print name of Petitioner) City of Ballwin
and states to the Board of Aldermen:

- I. That he, she, it, they, has (have) the following legal interest in the tract of land and/or premises located within the corporate limits of Ballwin, Missouri, described in Section II of this petition.
A. State Legal Interest: Municipality
B. Documentation of Legal Interest must accompany this petition.
II. That the legal description of the property/premises, for which a change in the Zoning Ordinance is requested, is enclosed.
III. That a plat or drawing of the property/premises for which a change in the Zoning Ordinance is requested is enclosed, and said drawing is to a scale of 100 feet or less to the inch.
IV. That the street address of said property/premises is:
V. That the area (acres or square feet) of said proposed zoning change is: 40.476 acres
VI. That the existing zoning classification of said property is: St Louis County R-3
VII. That the existing use of said property/premises is: Single Family residential
VIII. That the proposed zoning classification is: Ballwin R-3
IX. That the proposed use of the property/premises is: existing

X. That the deed restrictions, if any, on the petitioned property/premises are not violated by the provisions of the requested change to the Zoning Ordinance.

I, the Petitioner, do hereby request an Ordinance of the Board of Aldermen approving and granting the herein described Zoning Ordinance change.

PETITIONER: CITY OF BALLWIN  
AUTHORIZED SIGNATURE: [Signature]  
AUTHORIZED SIGNATURE (PRINTED): Eric Sterman  
ADDRESS: 1 GOVERNMENT CENTER  
CITY/STATE/ZIP: BALLWIN MO 63011  
TELEPHONE NO. 636-227-9000

I, (print name of Petitioner) \_\_\_\_\_, do hereby designate \_\_\_\_\_ as my agent for purposes of presenting this petition, negotiating with the City of Ballwin on all issues relative to this petition, and corresponding and communicating with representatives of the City of Ballwin relative to this petition.

AGENT'S SIGNATURE: \_\_\_\_\_  
AGENT'S NAME (PRINTED): \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY/STATE/ZIP: \_\_\_\_\_  
TELEPHONE NO. \_\_\_\_\_

THE STATE OF MISSOURI COUNTY AND/OR CITY OF St. Louis

On this 14 day of November in the year 2023, before me, a Notary Public in and for said State, personally appeared Eric Sterman (name of individual), known to me to be the person who executed the within rezoning (type of document), and acknowledged to me that he/she executed the same for the purposes therein stated.

[Signature]  
Notary Public Signature  
Megan Laura Freeman  
Print



# Zoning Ordinance Change Staff Report – Z-23-04

**Petition Number:** Z-23-04

**Petitioner:** City of Ballwin  
1 Government Center  
Ballwin, Missouri 63011

**Project Name:** Rezoning of Charleston Oaks Subdivision  
from St Louis County's R-3 to Ballwin's R-3  
Zoning Designation

**Requested Action:** Zoning Map Change

**Public Hearing Date:** December 4, 2023



**Summary:**

This Petition is for a change of zoning for Charleston Oaks Subdivision, which is located at the southwest corner of Big Bend Road and Ries Road. The Subdivision currently has an R-3 Residence District Zoning Designation assigned by St Louis County and is a detached single family dwelling development. On January 1, 2023, Charleston Oaks Subdivision was annexed into the City of Ballwin from St. Louis County, after approval from the St Louis County Boundary Commission in 2022.

**Post annexation procedures:**

Following annexation, municipalities typically assign a comparable zoning designation to the properties involved. This ensures that the land falls under the purview of the City's zoning regulations, governing the permissible uses and development guidelines. The most comparable City of Ballwin Zoning District is R-3 Single-Family Dwelling District.

**Impact on Properties:**

Although the districts are similar, any existing structure failing to comply with the City's R-3 zoning requirements would be classified as legally non-conforming or "grandfathered." This designation implies that use of the structure may continue without any consequence, also allowing the property to be sold without impediment. However, any new construction must meet the requirements of the City's R-3 Zoning District. The table below compares some of the regulations in the two Zoning Districts.

<b>Charleston Oaks Rezoning Comparison Table</b>	
<b>St Louis County's R-3 Zoning District</b>	<b>City of Ballwin's R-3 Zoning District</b>
<b>Lot size &amp; yard requirements:</b>	<b>Lot size &amp; yard requirements:</b>
Minimum lot size: 10,000 square feet	Minimum lot size: 10,000 square feet (20,000 if not connected to public sewer)
Minimum front yard (primary structure): 20 feet	Minimum front yard (primary structure): 20 feet
Minimum side yard (primary structure): 8 feet	Minimum side yard (primary structure): 8 feet
Minimum rear yard (primary structure): 15 feet	Minimum rear yard (primary structure): 15 feet
<b>Height limitations:</b>	<b>Height limitations:</b>
No building elevation of any dwelling structure or building accessory to a dwelling structure shall exceed three (3) stories or forty-five (45) feet in height, whichever is less.	No building shall exceed 35 feet in height nor contain more than three stories except as may be otherwise provided herein.

**Staff recommendation:**

Staff recommends approval of this Petition. Approval will result in the R-3 City Zoning Designation being applied to Charleston Oaks Subdivision.



Dear Resident,

On January 1, 2023, Charleston Oaks Subdivision was annexed into the City of Ballwin from St. Louis County, after approval from the St Louis County Boundary Commission in 2022. Annexation is a process by which a City expands its boundaries to include new areas of land. When this occurs, the City of Ballwin applies a zoning designation that is comparable to the Designation that was assigned to the land when it was in Unincorporated St Louis County. This ensures that the land is subject to the City's zoning regulations, which guide how land can be used and developed.

The City of Ballwin is now moving forward with the process to apply a City of Ballwin zoning designation to properties within Charleston Oaks Subdivision.

Here are the steps involved in this process:

The City is submitting a rezoning application for the properties in the newly annexed area. This application typically includes information about the proposed zoning changes, such as the existing and proposed zoning designation(s), land use, and any accompanying documentation. A public hearing will be held at the Planning & Zoning Commission Meeting, whose vote is a recommendation to the Board of Aldermen. The Board of Aldermen will ultimately have the final vote on the application.

When Charleston Oaks Subdivision was Unincorporated, the zoning designation that St Louis County had assigned to it was R-3 Residence District. The most appropriate City of Ballwin Zoning Designation is R-3 Single-Family Dwelling District.

While the districts are very similar, any existing structure that does not meet the one of the City's R-3 zoning requirements would be considered legally non-conforming or "grandfathered". That means the structure may continue to exist without any consequence. The property can be sold without issue. Any *new* construction would be required to meet the requirements of the City's R-3 Zoning District.

**A public hearing is scheduled to be heard at the Planning & Zoning Commission Meeting on Monday, December 4 at 7:00 pm at the City of Ballwin Government Center. The Board of Aldermen may vote on the application at their meeting, which is scheduled for Monday, December 11 at 7:00 pm.**

More information, including a table comparing the County and City Zoning Designations, can be found on the City's Website at [www.ballwin.mo.us/CharlestonOaks/](http://www.ballwin.mo.us/CharlestonOaks/)

If you have any questions, or would like more information on how this may affect your property, please contact me at [lynnsprick@ballwin.mo.us](mailto:lynnsprick@ballwin.mo.us) or 636-227-2243.

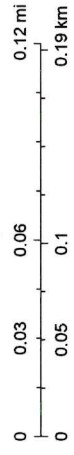
Sincerely,

  
Lynn M Sprick  
City Planner

# Charleston Oaks rezoning letter



1:2,400



St. Louis County GIS Service Center



A digital inscription of the metes and bounds legal description of the proposed annexation area, provided for enhanced legibility:

“A tract of land in the Southwest One-Quarter of Section 11, Township 44 North – Range 4 East, St. Louis County, Missouri, and being more particularly described as:

Beginning at the Northwest corner of “Arbor Glen Plat Two”, a subdivision according to the plat thereof recorded in Plat Book 282, Page 91 of the St. Louis County Records, said point being a point on the West line of said Section 11 and on the East line of “Arbor Oaks Plat One”, a subdivision according to the plat thereof recorded in Plat Book 292, Pages 61 through 63 of the St. Louis County Records; thence North 00 degrees 08 minutes 43 seconds West 1359.44 feet along said West line of Section 11 and said East line of “Arbor Oaks Plat One” to the South line of Oak Street, being 15 feet South of the original centerline; thence North 88 degrees 52 minutes 59 seconds East 1298.63 feet along said South line of Oak Street to the West line of Ries Road, being 15 feet West of the original centerline; thence South 00 degrees 02 minutes 44 seconds East 1358.88 feet along said West line of Ries Road to the Eastwardly prolongation of a North line of “Arbor Glen Plat One”, a subdivision according to the plat thereof recorded in Plat Book 279, Page 57 of the St. Louis County Records; thence South 88 degrees 51 minutes 23 seconds West 1296.27 feet along said prolongation, along said North line of “Arbor Glen Plat One”, and along the North line of aforesaid “Arbor Glen Plat Two” to the point of beginning and containing 40.476 acres according to a survey by Volz Engineering & Surveying, Inc. on April 20, 1993.”



**PLANNING AND ZONING COMMISSION**  
**1 GOVERNMENT CTR, BALLWIN, MO 63011**  
**MONDAY, DECEMBER 4, 2023 at 7:00 PM**

**PUBLIC HEARING**

Notice is hereby given that on Monday, December 4, 2023 at 7:00 P.M. – A Public Hearing will be held by the Planning & Zoning Commission in the City Government Center Board Room at 1 Government Center, Ballwin, Missouri. The Commission will consider the following petitions:

**SUE 23-03 – Petition for a Special Use Exception (SUE) for an automobile and motor vehicle service and/or repair facility at 15230 Manchester Road**

**Z-23-03 – Zoning Change from St Louis County’s R-4 Residence District to the City of Ballwin’s R-4 Planned Multiple Dwelling District for the lots in The Cascades Subdivision**

**Z-23-04 – Zoning Change from St Louis County’s R-3 Residence District to the City of Ballwin’s R-3 Single Family Dwelling District for the lots in Charleston Oaks Subdivision**

**Z-23-05 – Text Amendment to Appendix A, Article XIV, adding the following as special use exceptions in the C-1 Commercial Zoning District:**

- **Retail Tobacco Stores**
- **Cigar Bars, Hookah Lounges, and Vapor Lounges**

Additional information on this petition is at the City Government Center, or by calling 636-227-2243.

Planning & Zoning Commission  
Eric Sterman, City Administrator