



## **Staff Report**

**Subject:** 2301 Westpar Drive

**Department/Program:** Administration (Planning & Zoning/Building Department)

**Explanation:**

Request for a fence in the front yard of a corner lot on the northwest corner of Westpar Drive and Kehrs Mill Road. The dwelling on this property was constructed in 1986 (per St Louis County Assessor's records) and faces Westpar Drive. The owners are proposing to install a four and a half foot (4.5') privacy fence in the front yard along Kehrs Mill Road, approximately twenty-three feet (23') from the property line.

**Recommendation:**

Section 7-224 of the City's Code of Ordinances prohibits fences "within the front yard area between the street right-of-way line and the building line" except with the permission of the Board of Aldermen. It goes on to reference Article XVI, Section 9 of the Zoning Ordinance for submittal details, which include: a site plan showing the location of the fence; height of the fence; proposed landscaping on the right of way side of the fence; an illustration of the type of fence; and the approximate grade of the area of the fence. The application shall include an agreement by the property owner that the fence shall be maintained; permit annual inspection by the city; and the property owner shall agree to make any repairs found necessary after such inspection, on penalty of revocation of such permit.

Section 9 also requires front yard fences to be uniform and harmonious with similar fences in the neighborhood; and be installed with the finished side facing the roadway.

As proposed, the fence would meet the above requirements and would not interfere with site distance for drivers at the corner of Westpar Drive and Kehrs Mill Road. Therefore, staff recommends approval of this petition with the condition that the property owner agrees to the above requirements.

**Submitted By:** Lynn Sprick

**Date:** July 8, 2024



**Looking northwest past the property**



**Looking southeast from the property**



# FENCE PERMIT / APPLICATION

CODE ENFORCEMENT DEPT · 1 GOVERNMENT CTR · BALLWIN MO 63011 · (636) 227-2129 · inspections@ballwin.mo.us

LOCATION (ADDRESS): 2301 Westpar Drive Chesterfield MO 63017
OWNER: Andrea Figueroa
CONTACT PERSON: Andrea Figueroa
PHONE: 787-639-8457
EMAIL: andrea.figueroa2@upr.edu

DATE: 05/13/2024
PERMIT NUMBER:
PERMIT FEE: <input type="checkbox"/> \$45
<input type="checkbox"/> MAIL TO: Homeowner Contractor

PERMIT #: 24-51-22

CONTRACTOR: Imperial Fence Inc	CONTACT PERSON: Brian Conn
ADDRESS: 1012 White St Imperia, MO, 63052	PHONE: 636-467-9003
EMAIL: fence@imperialfenceinc.com	

**FENCE INFORMATION**

<input type="checkbox"/> PRIVACY	<input type="checkbox"/> CHAIN LINK
<input checked="" type="checkbox"/> NON-PRIVACY	<input checked="" type="checkbox"/> WOOD
<input type="checkbox"/> POOL	<input type="checkbox"/> VINYL
	<input type="checkbox"/> ALUMINUM
	<input type="checkbox"/> OTHER: _____

CORNER LOT\*  
 STREETS AT FRONT & REAR OF PROPERTY\*

HEIGHT FROM GROUND: 54" FT / IN.

- \*CONDITIONS**  
*(These conditions apply only to corner or double-frontage lots)*
- No part of the fence may be located in the public right-of-way.
  - Fence must have a gate to provide access to right-of-way for maintenance purposes.
  - Fence must be erected with the finished side facing the roadway.
  - Fence must blend with existing nearby front yard fences in orientation, color, style, height, materials, and location.
  - Fence must be located so as not to obstruct the view of motorists or pedestrians in the vicinity.

**Two copies of your plot plan, showing the location of the fence, must be submitted with this application.**

*I hereby certify that the information contained in this application and accompanying drawings or plats is correct, and that I will conform with all applicable laws of the City of Ballwin.*

*The undersigned warrants either (i) the plans have been approved by any applicable Board of Trustees, or other subdivision governing body; or (ii) that there is no relevant subdivision Board or Trustee group for which approval is required.*

  
 \_\_\_\_\_  
 OWNER/CONTRACTOR

05/13/2024  
 \_\_\_\_\_  
 DATE

**PERMITEE MUST CALL FOR A FINAL INSPECTION WHEN THE FENCE HAS BEEN COMPLETED**

<p>RECEIVED</p> <p>MAY 13 2024</p> <p>CITY OF BALLWIN</p>	<p>► REVIEWED ◀</p> <hr/> <p>PLANS EXAMINER APPROVAL</p> <hr/> <p>INSPECTOR APPROVAL (if needed)</p> <p>Date: _____</p>
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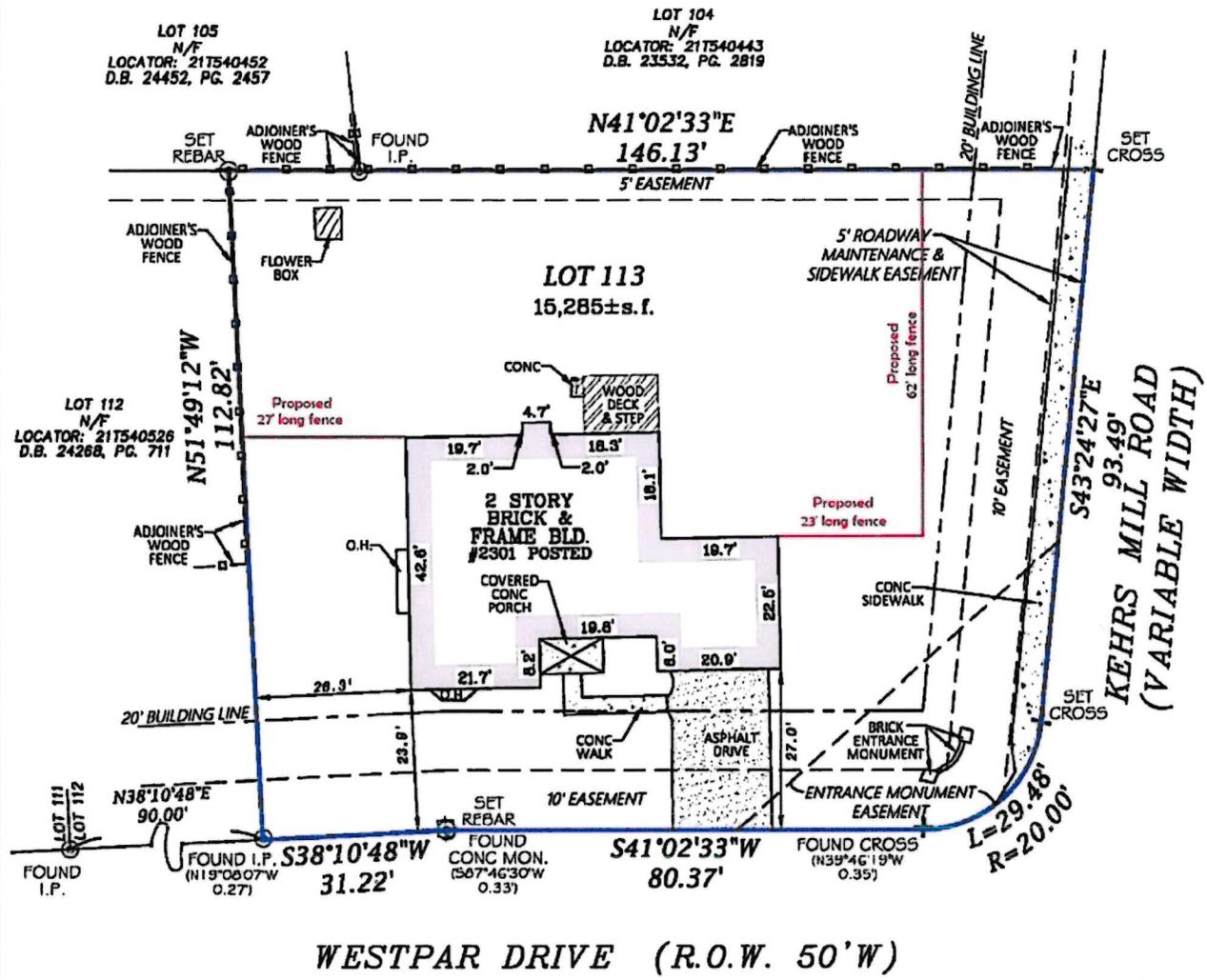
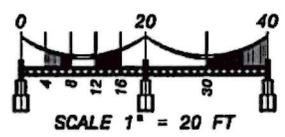
12-2



# BOUNDARY AND IMPROVEMENT SURVEY

## 2301 WESTPAR DRIVE

LOT 113 OF CLARKSON CROSSING PLAT 1  
PLAT BOOK: 218, PAGE: 84  
ST. LOUIS COUNTY, MISSOURI



**WESTPAR DRIVE (R.O.W. 50' W)**

**SOURCE OF RECORD IN FORMATION**

GENERAL WARRANTY DEED RECORDED IN DEED BOOK 7889 PAGE 476 OF THE ST. LOUIS COUNTY, MISSOURI RECORDS. LOCATOR NUMBER: 297540535

**TITLE NOTES**

THIS DRAWING HAS BEEN COMPILED WITHOUT THE BENEFIT OF A CURRENT CERTIFICATE OF TITLE EXAMINATION AND, THEREFORE, MAY NOT CONTAIN EASEMENTS, RESERVATIONS, EXCEPTIONS, RESTRICTIONS AND COVENANTS OF RECORD.

**BASIS OF BEARINGS**

CLARKSON CROSSING PLAT 1  
PLAT BOOK: 218, PAGE: 84

**CONTROLLING CORNERS USED:**

I.P. - SOUTHEAST CORNER LOT 111  
I.P. - SOUTHWEST CORNER LOT 111  
I.P. - SOUTHWEST CORNER LOT 110

**LINE TYPES**

- CHAIN FENCE
- E— EASEMENT
- L— LINE
- SETBACK LINE
- PARCEL LINE
- U.S. SURVEY
- SECTION LINE
- W— BOUNDARY LINE
- V— WOOD/VINYL
- M— METAL FENCE
- X— WIRE FENCE
- B— BUILDING
- F— FOOTPRINT
- C— CENTERLINE

1"=0.05'
2"=0.10'
3"=0.15'
4"=0.20'
5"=0.25'
6"=0.30'
7"=0.35'
8"=0.40'
9"=0.45'
10"=0.50'
11"=0.55'

I.P.=IRON PIPE LR=IRON ROD (S)=SURVEYED  
(R)=RECORD NR=NON-RADIAL P.B.=PLAT BOOK  
P2=PAGE D.B.=DEED BOOK S.F.=SQUARE FEET  
NF=NOW OR FORMERLY CL-CENTERLINE  
CONC=CONCRETE R.O.W.=RIGHT-OF-WAY

**ALTEA, LLC**  
Consulting Land Surveyors  
2008 S. OLD HWY 94, SUITE 800  
ST. CHARLES, MO 63305  
PHONE: (636) 477-8000  
FAX: (636) 856-0988  
WWW.ALTEA.LLC  
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PROJECT NUMBER: **24-0511-0**

<b>1</b> OF 1	FIELD CREW / FIELD DATE: W/PW - 03/20/2024
	DRAFTER: LD/CV
	DRAWN ON: 03/21/2024
	REVIEWER: BLH
	REVIEWED ON: 03/21/2024

**SURVEYOR'S STATEMENT**

AT THE REQUEST OF ANDREA FIGUEROA, ALTEA, LLC, HAS DURING THE MONTH OF MARCH, 2024, EXECUTED A BOUNDARY RETRACEMENT SURVEY OF LOT 113 OF CLARKSON CROSSING PLAT 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 218, PAGE 84 OF THE ST. LOUIS COUNTY, MISSOURI, RECORDS, TOGETHER WITH THE LOCATION OF OBSERVED IMPROVEMENTS THEREON, AND THAT THE RESULTS OF SAID SURVEY ARE IN MY PROFESSIONAL OPINION, CORRECTLY INDICATED ON THE ABOVE PLAT. THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS FOR URBAN CLASS PROPERTY. BUILDING SETBACK INFORMATION DEPICTED HEREON IS FROM THE RECORD PLAT OR CITY BLOCK MAP (IF APPLICABLE). PLANNING AND ZONING RESTRICTIONS WERE NOT OBTAINED OR ADDRESSED AS A PART OF THIS SURVEY. DECLARATION IS MADE TO THE ORIGINAL PURCHASER OF THIS SURVEY ONLY AND IS NOT TRANSFERABLE. UTILITY LOCATES WERE NOT REQUESTED AND NO UTILITIES OR SEWERS WERE LOCATED IN CONJUNCTION WITH THIS SURVEY. THE OPINION OF THE ORIGIN OF THE FENCES SHOWN HEREON IS FROM EVIDENCE OBSERVED DURING THE COURSE OF THIS SURVEY, AND MAY INCLUDE: FENCE CONSTRUCTION, OCCUPANT TESTIMONY, OR OTHER AVAILABLE INFORMATION. NO GUARANTEE IS MADE OR CERTAINTY GIVEN AS TO THE ORIGIN OR OWNERSHIP OF FENCES. THIS BOUNDARY SURVEY IS NON-TRANSFERABLE.

AS AGENT OF ALTEA, LLC  
DATE: 3-25-24

STATE OF MISSOURI  
REGISTERED PROFESSIONAL LAND SURVEYOR  
DAVID J. MORTON  
LS-2276

Andrea Figueroa Soto and Raul Cruz Quintero  
2301 Westpar Drive  
Chesterfield, MO, 63017  
[andrea.figueroa2@upr.edu](mailto:andrea.figueroa2@upr.edu)  
787-639-8457  
June 24th, 2024

Dear Mayor Pouge and Members of the Board of Aldermen,

We are writing to formally request permission to construct a fence on our property located at 2301 Westpar Drive. Our family believes that this fence is necessary for several important reasons, and we hope you will consider our application favorably.

First and foremost, the proposed fence will enhance the safety and security of our home. With future young children and pets, having a secure perimeter is essential to prevent them from wandering off the property and to protect them from potential hazards in the neighborhood.

Additionally, the fence will provide much-needed privacy for our family. Our yard is frequently used for outdoor activities, and a fence would allow us to enjoy these moments without the intrusion of passersby. Aesthetically, we are committed to ensuring that the fence will complement the existing architecture and landscape of our home and the neighborhood. We have carefully selected a design that adheres to the city's and the HOAs guidelines and will maintain the visual appeal of our community.

We have also taken into consideration any potential concerns our neighbors might have and have discussed our plans with them. We are pleased to report that they have expressed their support for the project. To provide a better understanding of our proposal, we have included detailed plans and specifications of the fence design with this letter. We have also reviewed the relevant municipal codes and believe that our project complies with all applicable regulations.

We respectfully ask that you review our application and grant us the necessary approval to proceed with the construction of our fence. We are more than willing to address any questions or concerns you may have and can provide any additional information needed to facilitate your decision.

Thank you for your time and consideration. We look forward to your positive response.

Sincerely,

Andrea Figueroa Soto and Raul Cruz Quintero

*Enclosures: Fence Design Plans and Specifications*

# Clarkson Crossing Homeowners Association

c/o CMA

14323 South Outer Forty, Suite 301N  
Chesterfield, MO 63017

Phone: 314-878-0025

Fax: 314-878-2773

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Andrea and Raul Cruz Quintero  
2301 Westpar Drive  
Chesterfield, MO 63017

RE: Architectural Submittal for 2301 Westpar Drive  
Account#: 49267

May 3, 2024

Dear Andrea and Raul ,

The Board of Directors for Clarkson Crossing Homeowners Association has reviewed and **APPROVED** your architectural submittal for a fence installation per the plans submitted based on the following condition(s):

**Board member Denny Fitzgerald spoke with the homeowner and confirmed the fence height at 54 inches. They also confirmed that the fence will be inside the shrubbery along Kehrs Mill Road and the sidewalk. In addition, the owners need to get permission from their neighbors to connect to their fences (2305 Westpar, Aziz Ahmad & 2304 Eagles Glen Ct, Alexis Thomas)**

It is the Homeowner's responsibility to ensure the project is completed as submitted. Any alterations to this plan must be resubmitted / approved before construction changes can be made. It is the homeowner's responsibility to attain any and all permits as required by the city/county. This approval in no way creates responsibility or liability to the Association or its Board of Directors.

*ARC approval of plans shall not constitute a representation, warranty, or guarantee that such plans and specifications comply with engineering design practices or zoning and building ordinances, or other governmental agency regulations or restrictions. The ARC shall not be responsible for reviewing, nor shall its approval of any plans or design, be deemed approved from the standpoint of structural safety or conformance with building or other codes. By approving such plans and specifications, neither the ARC, the Members thereof, the Association, any Member thereof, their Board of Directors, any Members thereof, or the Declarant assumes any liability or responsibility therefore or for any defect in the construction or improvement from such plans or specifications. As provided in the CC&R's neither the ARC, the Association, the Board of Directors or the Association or any Members thereof, not the Declarant or Developer shall be liable to any Member, Owner, Occupant, or other person or entity for any damage, loss or prejudice suffered or claimed on account of (1) the approval or disapproval of any plans, drawings, or specifications, whether or not defective, or (2) the construction or performance of any work whether or not pursuant to the approved plans, drawings, or specifications.*

Your patience and cooperation with the architectural review process is appreciated. If you have any questions, please contact our Community Manager at CMA at 314-878-0025.

Sincerely,

Board of Directors for  
Clarkson Crossing Homeowners Association



**Dog Ear Picket**