



Staff Report

Subject: 326 Turfwood Drive

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

Explanation:

This Petition was discussed at the Board of Aldermen Meeting on January 13, 2025. At that time, the Board asked for clarification and additional information.

- The Petitioner was asked to provide approval from the subdivision's homeowners' association. The property owner has since submitted signed plans from one of the trustees.
- Clarification regarding distances from property lines was also addressed. The included survey indicates that the closest point to the property line along Turfwood Drive is 20.9 feet, while the closest point along Towerwood Drive is 26 feet. Please note these measurements are to the property line, not the edge of the street. An additional 10–12 feet exists between the property line and the street edge.
- The residence was constructed in 1969, when the property was part of unincorporated St. Louis County. At that time, the required front setback was 20 feet, which the structure met. When the subdivision was annexed in 1989, this condition became legally non-conforming.
- Per Article XVI, Section 10 of the Zoning Ordinance: "No fence, structure, or planting higher than 2½ feet above street grade shall be maintained within 15 feet of any street intersection." This area, referred to as sight distance, ensures that vehicles approaching an intersection can safely assess traffic on the opposing street.
 - The Public Works Department stated that locating the fence five feet (5') from the property line would provide sufficient space for sidewalk repair/replacement.

Recommendation:

Staff's recommendation remains unchanged. Relocating the fence a minimum of five feet (5') into the property to allow for landscaping, along with the property owner's agreement to the stated requirements in the previously submitted staff report.

Submitted By: Lynn Sprick

Date: January 27, 2025



Looking east, past the property along Towerwood Drive



Another view looking east, past the property along Towerwood Drive



Looking north, past the property along Turfwood Drive



Aerial view of property

12/19/2024

Board of Aldermen
City of Ballwin
1 Government Center
Ballwin, MO 63011

Board of Aldermen,

I am writing to request approval for a 6 foot privacy fence for my corner lot at 326 Turfwood Dr, Ballwin MO 63021.

I purchased this home back in 2020 with the appeal of the corner lot and side yard for my dogs to play in. The house currently has a chain link fence which is in need of replacement. For the security and privacy of the residence I have employed the services of a very reputable company Kirkwood Fence to perform the work.

This proposed fence does not block the views of cars at the intersection. This intersection also has a stop sign when coming towards Turfwood from Towerwood. The fence would go around the entire yard and would be located exactly where the current fence resides with no changes other than being a 6 foot high fence.

I have already received approval from the HOA of Westglen to have this fence installed as it meets their criteria.

As the homeowner I will follow all city codes and ordinances to comply and meet with your approval process.

In addition to replacing the current broken down fence this will be visually appealing and provide security as well it will allow my dogs the full freedom to use the yard as I envisioned when I purchased this home just 4 years ago. I see this as an investment in my home and for the City of Ballwin.

Please let me know if you need any additional info. to approve my proposed fence.

Sincerely,
BOB AXLEY
326 Turfwood Drive
314-852-8902



FENCE PERMIT / APPLICATION

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

PERMIT #:

LOCATION (ADDRESS): 326 Turfwood Dr	DATE: 12/13/24
OWNER: Bob Axley	PERMIT NUMBER:
CONTACT PERSON: Bob Axley	PERMIT FEE: <input type="checkbox"/> \$45
PHONE: (314) 852-8902	<input type="checkbox"/> MAIL TO: Homeowner Contractor
EMAIL: 79handsunset@gmail.com	

CONTRACTOR: Kirkwood Fence	CONTACT PERSON: Cooper Moore
ADDRESS: 425 N Hwy Dr	PHONE: 314-575-8397
EMAIL: cmoore@kirkwoodfence.com	

FENCE INFORMATION

PRIVACY CHAIN LINK
 NON-PRIVACY WOOD
 POOL VINYL
 ALUMINUM
 OTHER: _____

CORNER LOT*
 STREETS AT FRONT & REAR OF PROPERTY*


HEIGHT FROM GROUND: 6' tall _____ 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

12/13/24

 DATE

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

	▶ REVIEWED ◀
	_____ PLANS EXAMINER APPROVAL
	_____ INSPECTOR APPROVAL (if needed)
	Date: _____

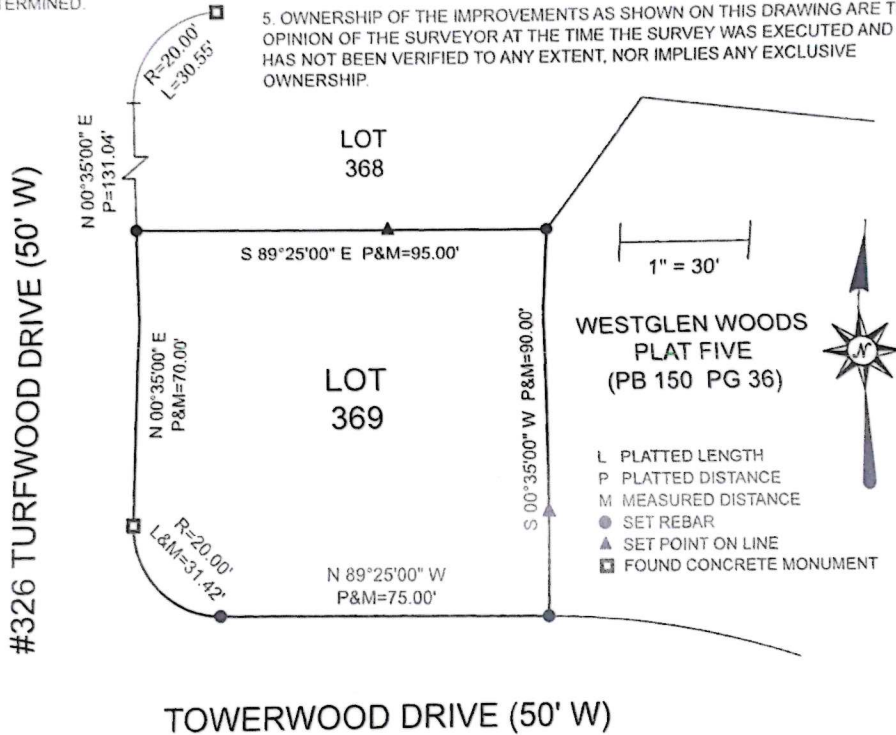
BOUNDARY SURVEY

LOT 369 WESTGLEN WOODS PLAT ONE PB 133 PG 32, ST LOUIS COUNTY, MO

SURVEYORS NOTES:

1. BASIS OF BEARING PER RECORD PLAT OF WESTGLEN WOODS PLAT ONE PER PLAT BOOK 133 PAGE 32 OF THE ST LOUIS COUNTY RECORDS.
2. BUILDING LINES SHOWN ON THIS DRAWING ARE THOSE THAT ARE SHOWN GRAPHICALLY ON THE RECORD PLAT SETBACK AND SIDEYARD REQUIREMENTS MAY EXIST ACCORDING TO CURRENT ORDINANCE AND ZONING STANDARDS AND ARE NOT SHOWN ON THIS DRAWING.
3. NO RESEARCH PERTAINING TO EASEMENTS WAS COMPLETED BY CARDINAL SURVEYING & MAPPING AND THE PROPERTY MAY BE SUBJECT TO ADDITIONAL EASEMENTS. ITEMS LOCATED INTO EASEMENT AREAS MAY OR MAY NOT BE AT RISK. SEEK LEGAL ADVISE IF YOU HAVE QUESTIONS. THE EASEMENTS SHOWN ON THIS DRAWING ARE THOSE THAT ARE SHOWN GRAPHICALLY ON THE RECORD PLAT AND THOSE LISTED PER FREEDOM TITLE COMPANY COMMITMENT #20LT08942 (6629/328 - DOES NOT AFFECT SUBJECT PROPERTY).
4. SURVEY COMPLETED TO URBAN PROPERTY BOUNDARY ACCURACY STANDARDS PER 20 CSR 2030-16.010 OF THE MISSOURI STATE STATUTES AND ACCURATELY REFLECTS ALL VISIBLE IMPROVEMENTS, INCLUDING FENCES, RECORDED EASEMENTS PER ABOVE REFERENCED TITLE COMMITMENT, AND EVIDENCE OF VISIBLE EASEMENTS LOCATED AT THE TIME OF SURVEY. AN ALTA WAS NOT PERFORMED AND UTILITY LOCATION HAS NOT BEEN DETERMINED.

5. OWNERSHIP OF THE IMPROVEMENTS AS SHOWN ON THIS DRAWING ARE THE OPINION OF THE SURVEYOR AT THE TIME THE SURVEY WAS EXECUTED AND HAS NOT BEEN VERIFIED TO ANY EXTENT, NOR IMPLIES ANY EXCLUSIVE OWNERSHIP.



SHEET 2 OF 2



PO BOX 278
COTTLEVILLE, MO 63338
PHONE: 636.922.1001
Corp # 2005000229
www.CardinalSurveying.com

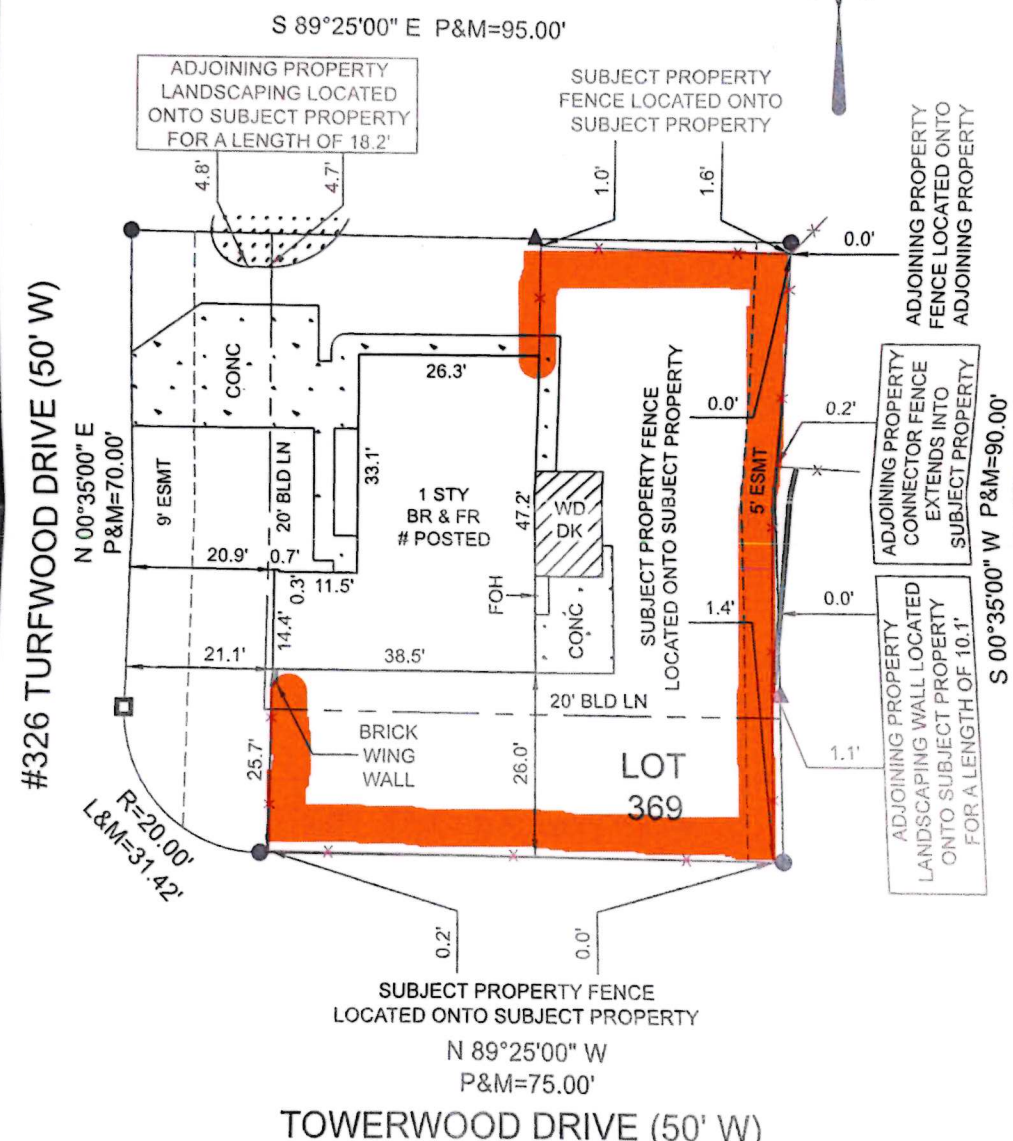
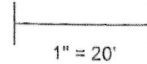
JOB #2009092
FB 584-2
FIELD WORK BY: TAO/SDP
DRAWN BY: BSR/MAG
REVIEWED BY:
WILLIAM JACOB CLARK
LS# 2002014101

THIS IS TO CERTIFY THAT ON SEPTEMBER 2, 2020 A REQUEST BY FREEDOM TITLE COMPANY WAS MADE FOR A BOUNDARY SURVEY AND TO LOCATE THE IMPROVEMENTS ON THE ABOVE NAMED TRACT AND THAT THE RESULTS ARE, TO THE BEST OF MY KNOWLEDGE, CORRECTLY REPRESENTED HEREON



BOUNDARY SURVEY LOT 369 WESTGLEN WOODS PLAT ONE PB 133 PG 32, ST LOUIS COUNTY, MO

- ✕ FENCE
- L PLATTED LENGTH
- P PLATTED DISTANCE
- M MEASURED DISTANCE
- SET REBAR
- ▲ SET POINT ON LINE
- ▣ FOUND CONCRETE MONUMENT



SHEET 1 OF 2

Cardinal
Surveying & Mapping

PO BOX 278
COTTLEVILLE, MO 63338
PHONE: 636.922.1001
Corp # 2005000229
www.CardinalSurveying.com

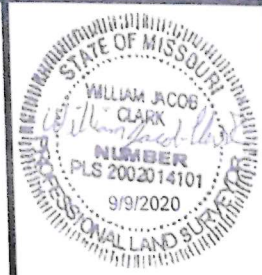
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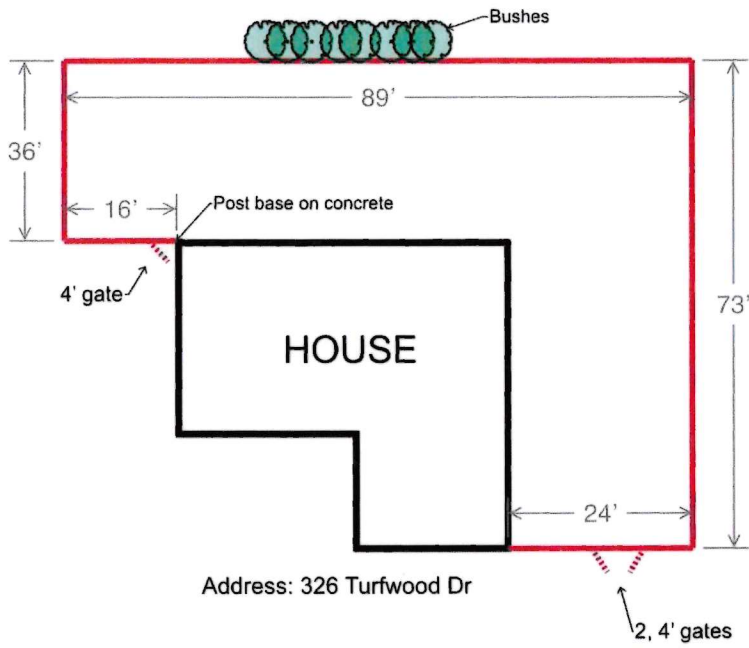
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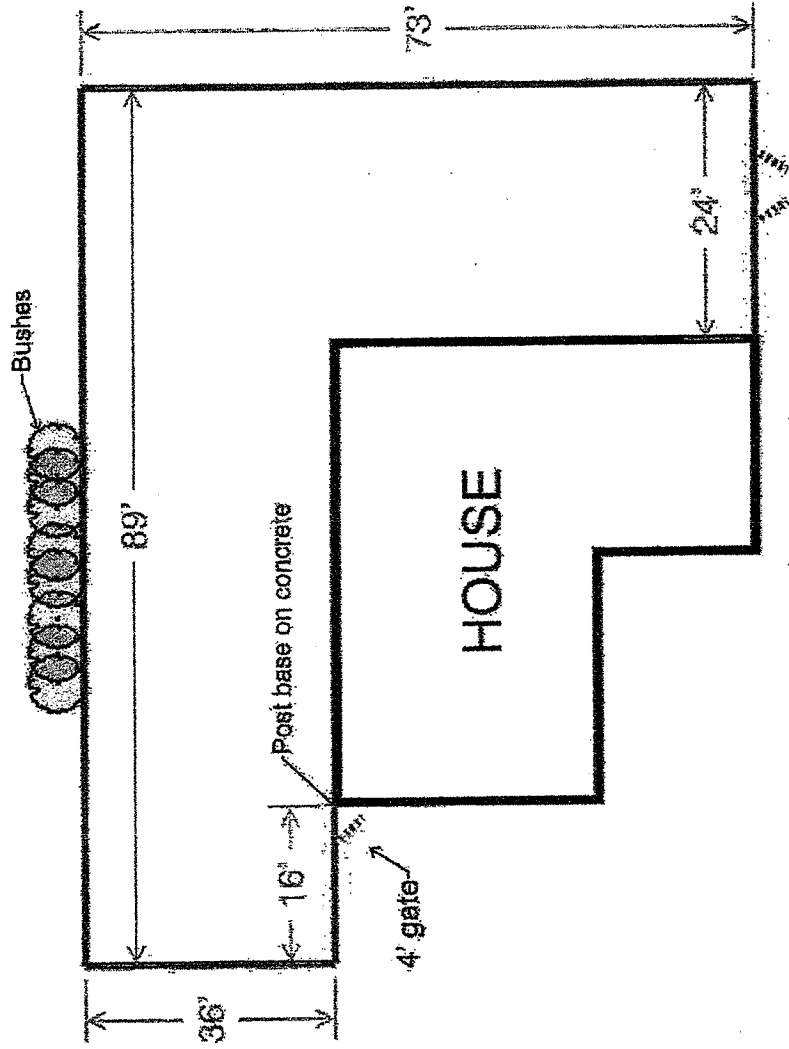


— New fence

DRAWING
NOT TO
SCALE







— New fence

DRAWING
NOT TO
SCALE

Address: 326 Turfwood Dr

*Six feet or lower, even with
building line. In accordance
with indenture of restrictions #7*

*Michael Swain
Trustee*

N01146707
Date Filed: 8/15/2024
John R. Ashcroft
Missouri Secretary of State

*** SECTION 1, 3 & 4 ARE REQUIRED**

REPORT DUE BY: **8/31/2024**

N01146707
WESTGLEN WOODS HOMEOWNERS ASSOCIATION, INC.
SPRA CORP.
120 S. CENTRAL AVE., SUITE 1600
ST. LOUIS MO 63105

	ORGANIZED UNDER THE LAWS OF: <u>Missouri</u>
1	PRINCIPAL PLACE OF BUSINESS OR CORPORATE HEADQUARTERS: * 614 Twigwood Dr (Required) STREET Ballwin MO 63021-6328 CITY / STATE ZIP

2 If changing the registered agent and/or registered office address, please check the appropriate box(es) and fill in the necessary information.

The new registered agent _____
IF CHANGING THE REGISTERED AGENT, AN ORIGINAL WRITTEN CONSENT FROM THE NEW REGISTERED AGENT MUST BE ATTACHED AND FILED WITH THIS REGISTRATION REPORT.

The new registered office address _____

Must be a Missouri address, PO Box alone is not acceptable. This section is not applicable for Banks, Trusts and Foreign Insurance.

OFFICERS		BOARD OF DIRECTORS	
NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE). MUST LIST PRESIDENT AND SECRETARY BELOW		NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT ACCEPTABLE). MUST LIST AT LEAST THREE DIRECTORS BELOW	
<u>PRESIDENT</u>	Johnson, Larry 614 Twigwood Drive STREET Ballwin MO 63021 CITY/STATE/ZIP	<u>NAME</u>	Altrogge, Andrew 230 Bitterwood Dr STREET Ballwin MO 63021-6341 USA CITY/STATE/ZIP
<u>SECRETARY</u>	Swain, Michael 333 Turfwood Drive STREET Ballwin MO 63021 CITY/STATE/ZIP	<u>NAME</u>	Swain, Michael 333 Turfwood Drive STREET Ballwin MO 63021 USA CITY/STATE/ZIP
<u>TREASURER</u>	Altrogge, Andrew 230 Bitterwood Dr STREET Ballwin MO 63021-6341 CITY/STATE/ZIP	<u>NAME</u>	Johnson, Larry 614 Twigwood Drive STREET Ballwin MO 63021 USA CITY/STATE/ZIP
		<u>NAME</u>	
		STREET	
		CITY/STATE/ZIP	

NAMES AND ADDRESSES OF ALL OTHER OFFICERS AND DIRECTORS ARE ATTACHED

4 The undersigned understands that false statements made in this report are punishable for the crime of making a false declaration under Section 575.060 RSMo. Photocopy or stamped signature not acceptable.

Authorized party or officer sign here Larry Johnson (Required)

Please print name and title of signer: Larry Johnson / President
NAME TITLE

REGISTRATION REPORT FEE IS:
___\$10.00 If filed on or before 8/31/2024
___\$15.00 If filed after 8/31/2024

Corporation will be administratively dissolved if report is not filed by 11/29/2025

WHEN THIS FORM IS ACCEPTED BY THE SECRETARY OF STATE, BY LAW IT WILL BECOME A PUBLIC DOCUMENT AND ALL INFORMATION PROVIDED IS SUBJECT TO PUBLIC DISCLOSURE

E-MAIL ADDRESS (OPTIONAL): _____

Westglen Woods

Mike Swain <swainer80@yahoo.com>
To: Lynn Sprick <lynnsp@ballwin.mo.us>

Thu, Jan 16, 2025 at 8:54 PM

Good evening Lynn,

I can send you the indentures in full if you'd like. I've read it a couple of times and have found nothing regarding protocols as to which or how many trustees need to sign off. The indentures do not explicitly spell out any formal process to "OK" much of anything. They were last revised back in 2010 to my recollection. Beyond that, that this puppy is old. I won't speak for Andrew (the other trustee) but I would interpret the "building line" to be the front of the building. There are currently many houses (Golfwood & Ballwood, Ballwood & Twigwood, Twigwood & Statewood, Bitterwood's fence abutting the subdivision walkway/service road) as well as Bob's property at Turfwood and Towerwood that currently has fencing that extends to the side or their property to the sidewalk. Thankfully the houses in the subdivision are set back from the street and solid fencing does not substantially block vision from the intersection as viewed from a vehicle. As the current situation stands, to me at least, the homeowner is replacing an existing chain link fence for a new vinyl fence. It is for the benefit of the nearby neighbors to not have the dogs bark as much when people are out walking, which I think would be a good thing for our subdivision.

If there are any further questions I would be happy to discuss them, please feel free to reach out.

Have a good night,
Mike Swain

[Quoted text hidden]

D. Easements and installation and maintenance of utilities and drainage facilities are reserved as shown on the Plats and over the rear five feet of each lot. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.

E. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.

(7) Fences may be constructed of any durable and reasonable material, including tight board, provided that no fence erected on any lot in the Subdivision may contain barbed wire, chicken wire, mesh or similar materials. All fences in the Subdivision must be constructed with all unfinished sides facing inward to the lot on which the fence is located and only finished sides facing outward. A fence shall neither extend in front of the building line on any lot in the Subdivision nor shall be more than six (6) feet in height.

(8) (a) There are and will be situated in the above described tract, certain areas designated as Common Land. The Trustees shall hereafter maintain said Common Land and may develop therein park areas, playgrounds, ball fields and other kinds of recreational facilities.

(b) Any other provision hereof to the contrary notwithstanding the obligations and rights of the Trustees hereunder to maintain the parks and streets referred to herein shall not cease nor may this Indenture be changed or amended to reduce or eliminate any of the duties, obligations and rights in such connection granted to and imposed on the Trustees under any subparagraph of Paragraph III herein, nor may this Indenture be amended to eliminate the Trusteeship set up in said Indenture or provisions for the succession of Trustees.

326 Turfwood

2 messages

John Bergfeld <jbergfeld@ballwin.mo.us>
To: Lynn Sprick <lynnsp@ballwin.mo.us>

Tue, Jan 14, 2025 at 2:13 PM

Lynn,

I drove past 326 Turfwood today. I agree that there needs to be a five foot setback from the sidewalk. I believe a six foot privacy fence in the side yard will create a decent blindspot for drivers approaching the intersection. There definitely needs to be some sort of setback from the sidewalk.

John

John J. Bergfeld
Chief of Police
Ballwin Police Department
City of Ballwin, MO
phone 636.207.2351
website www.ballwin.mo.us



Follow us:   



CLASS #541
School of Police
Staff & Command

Lynn Sprick <lynnsp@ballwin.mo.us>
To: John Bergfeld <jbergfeld@ballwin.mo.us>

Tue, Jan 14, 2025 at 2:14 PM

Thank you for checking it out!

[Quoted text hidden]

--

Lynn Sprick
City Planner
City of Ballwin
phone 636-227-2243
website www.ballwin.mo.us



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