

Department of Planning & Development
 2348 S. Brentwood Boulevard
 Brentwood, MO 63144
 314-962-4800
 fax 314-962-5632
 www.brentwoodmo.org

OFFICIAL APPLICATION FORM - CITY OF BRENTWOOD

APPLICATION FOR AMENDMENT TO ZONING MAP

As owner or applicant (indicate which) it is requested that the property located (address, if assigned, or general description):

8817 Powell Ave

approximately 0.29 AC square feet or acres, be rezoned from Planned Development

to Single Family Residential - "B" District for the purpose of subdividing the lot to build two new
single family homes. *per Mr Davis 4/20/21*

In support of this application, please answer the following questions in detail:

A. How is the requested zoning change justified (i.e., have there been changes in the surrounding land use, etc.)?

The current home is built on a property that is large enough to be subdivided to build two new single family homes. The property is bordered by properties that are zoned as Single Family Residential B.

B. What services, facilities, and/or programs may be required if the petition were approved?

Demolition of existing home and construction of two new homes by builder.

C. How will approval of the petition affect the value of property in the City?

The petition will increase the current property value.

D. What use is the applicant intending to have with the rezoned property and what use would the applicant make of the property if it is not rezoned?

If property is rezoned the intent is to sell the property as a sub-dividable lot. If not approved will hold as a rental property or sell.

RECEIVED

APR 13 2021

CITY OF BRENTWOOD
 PLANNING DEPT.

REQUIRED MATERIALS

The filing deadline for the Planning and Zoning Commission consideration is fourteen (14) days prior to the regular meeting date.

Place a check mark on the line to indicate inclusion of the item with the application submittal.

- The fee of \$100
- 20 copies of the completed "Official Application Form"
- 20 copies of a legal description of the entire property to be rezoned. If more than one zoning district is involved in the rezoning, separate legal descriptions should be prepared for each proposed district, as well as for the overall property.
- 20 copies of a site plan and application
- 20 copies of all other material submitted in conjunction with the application including a conditional use permit application, traffic studies, etc.

Applicant: Mike Davis

Mailing Address: 2933 Collier Ave. Brentwood, MO 63144

Telephone No.: (314) 779-4725 **Fax No.:** ()

Applicant agent (if any): _____

Mailing Address: _____

Telephone No.: () **Fax No.:** ()

Other: Andra Barret - Trustee of the Estate

Mailing Address: 704 E Union Ave. Litchfield, IL 62056

Telephone No.: (314) 320-0997 **Fax No.:** ()

Other: _____

Mailing Address: _____

Telephone No.: () **Fax No.:** ()

I, Mike Davis (owner, agent), certify I have a legal interest in this property sufficient to represent the current property owner in seeking a rezoning, and that I represent the current owner in seeking this rezoning and that to the best of my knowledge, the documents submitted representing this application are correct and accurate.

Date: 4/12/21

Please note: Applications will not be accepted in the following instances:

1. The request does not comply with all the requirements of this application and any related regulations of the City.
2. An application was previously approved or denied for the same property within the three month period immediately preceding this application. This requirement can be waived if substantial new facts warrant reapplication.

REZONING TIME FLOW CHART

APPLIES TO ANY REZONING OR ZONING TEXT ISSUE

<u>FILING DEADLINE</u>	Last Wednesday of month #1
<u>PRESENTATION TO PLANNING COMMISSION</u>	2nd Wednesday of month #2
<u>SITE PLAN REVIEW BY P&Z SUB-COMMITTEE</u>	Last Wednesday of month #2
<u>FINAL VOTE BY P & Z</u>	2nd Wednesday of month #3*
<u>PUBLIC HEARING AT BOARD OF ALDERMEN</u>	3rd Monday of month #3**
<u>ACTION ON ENABLING LEGISLATION</u>	3rd Monday of month #3***

* Customarily, P & Z will vote at this meeting. However, the law does not require them to reach a decision until 70 days after the petition has been referred to them. If they have not made a recommendation at the end of 70 days, their inaction is deemed to be a vote in favor of the petition.

** All rezonings require a Public Hearing. Notice of Public Hearings must be given at least 15 days in advance of the hearing. If it seems the P & Z will reach a decision at the prior meeting, a Public Hearing will be scheduled in advance of the P & Z vote. If there is doubt as to a vote by the P & Z, the hearing will not be scheduled until after the P & Z vote. This normally means the petition will be delayed for no more than 30 days until the same date in the next month.

*** This is the normal time flow. However, the Board does not have to have a bill prepared until after they have received the input of the public at the Public Hearing. If they choose to get the input of the public before the bill is prepared, hence addressing public concerns within the provisions of the bill, it may delay presentation of the bill until their next meeting. The Board does not have to read a bill more than once at any meeting. Hence, on a slow track the Public Hearing and bill vote process could take as long as 4 meetings of the Board of Aldermen.

ARTICLE IX
Trustees

In the event of the death, disability, or incapacity of either of the Grantors, the failure or refusal of either of them to act as a Co-Trustee of the trust estate created hereunder, or the resignation of either of them as such, then and in any such event, the remaining Grantor shall serve as the sole Trustee. In the event of the death, disability, or incapacity of the remaining Grantor, his or her failure or refusal to act as Trustee of the trust estate created hereunder, then and in such event, **AUDRA R. BARRETT**, shall become the successor Trustee. In the event of the death, disability or incapacity of **AUDRA R. BARRETT**, her failure or refusal to act as Trustee of any trust estate created hereunder or her resignation as such, then and in such event, **MICHAEL N. DAVIS** shall act as the Trustee of such trust estate.

The term "Trustee" as used in this Trust Agreement, shall include Co-Trustees when more than one Trustee is acting as such, and shall also include any and all successor Trustees.

Any Trustee at any time serving with respect to a trust estate created herein may resign at any time, with or without cause, by giving not less than thirty (30) days' written notice thereof to all of the adult and otherwise legally competent beneficiaries to whom the income from the trust estate may then be distributable, to the Co-Trustee then serving with respect to such trust estate, if any, and to the successor Trustee or Trustees entitled to act by reason of such resignation, if any.

The Trustees or Trustee (original and/or successor) from time to time serving hereunder shall have and possess all of the rights, powers, privileges, immunities and discretions herein conferred upon the original Trustees in their capacity as such. No successor Trustee shall be liable or responsible for any losses or expenses resulting from or occasioned by anything done or neglected to be done in the administration of any trust estate created herein prior to becoming a Trustee, nor be required to inquire into or take any notice of the prior administration of the trust estate.

None of the Trustees, whether named herein or appointed by any court or person, shall be required to file any inventory with, make any accounting or report to, or qualify before any court or public official, or be required to give any bond, regardless of any requirement of law, statute or rule of court to the contrary, it being the intention hereby to relieve such and every one of the Trustees from any and all such and similar requirements.

ARTICLE X
Perpetuities Savings Clause

Notwithstanding any other provision hereof to the contrary, all trusts created hereunder, unless sooner terminated, shall terminate 21 years after the death of the last to survive of Grantors' descendants living at the date of Grantors' death or at the date this trust for any other reason becomes irrevocable and, upon such termination, the property then constituting the trust estates shall be distributed, free from trust, to the person or persons then receiving or then entitled (absolutely or in the discretion of the trustee) to the benefit of the income thereof in the

same proportions in which they are then receiving or are then entitled to the benefit of such income.

ARTICLE XI
Power to Amend or Revoke

Grantors reserve the right, exercisable as hereinafter provided, at any time and from time to time, without the consent or approval of any person, to alter, amend, modify or revoke, in whole or in part, this trust Agreement and the trust estates hereby created. Such right to alter, amend, modify or revoke this Trust Agreement shall be exercised by the execution of a written instrument signed by Grantors, while both are living and neither is incompetent, or if only one of Grantors is then living or both are then living but one is incompetent, then by the Grantor who is then living and not incompetent, and delivered to the Trustees.

ARTICLE XII
Definition of the Word "Incompetent"

The word "incompetent" as used herein shall mean that the person so described is incapable of managing his or her own affairs, and is, therefore, disabled as defined in Section 475.010 of the Revised Statutes of Missouri. Certification of two (2) medical doctors engaged in the practice of medicine on a full-time basis shall be sufficient to prove the same within the meaning hereof without any court action being required.

ARTICLE XIII
Situs

This instrument shall be construed and administered, and the validity of the trusts hereby created shall be determined, in accordance with the laws of the State of Missouri.

IN WITNESS WHEREOF, RAYMOND A. DAVIS and KAREN S. DAVIS, as Grantors, and RAYMOND A. DAVIS and KAREN S. DAVIS, as Trustees, have caused these presents to be executed the day and year first above written.

Raymond A Davis
RAYMOND A. DAVIS, Grantor


Karen S. Davis
KAREN S. DAVIS, Grantor

Raymond A Davis
RAYMOND A. DAVIS, Trustee

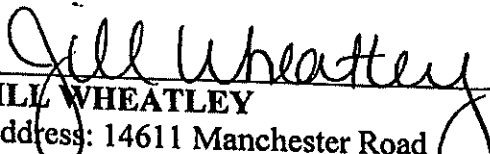
Karen S. Davis
KAREN S. DAVIS, Trustee

We, **LARISSA GUARINO**, and **JILL WHEATLEY**, the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Grantors sign and execute this instrument as their Revocable Trust and that they sign it willingly, and that each of us, in the presence and hearing of the Grantors, hereby signs this Revocable Trust as a witness to the Grantors' signing, and that to the best of our knowledge the Grantors are eighteen years of age or older, of sound mind, and under no constraint or undue influence.

WITNESSES:



LARISSA GUARINO
Address: 14611 Manchester Road
Manchester, MO 63011



JILL WHEATLEY
Address: 14611 Manchester Road
Manchester, MO 63011

STATE OF MISSOURI)
)
COUNTY OF ST. LOUIS) ss.

I, the undersigned, an officer authorized to administer oaths, certify that **RAYMOND A. DAVIS** and **KAREN S. DAVIS**, the Grantors, and **LARISSA GUARINO** and **JILL WHEATLEY**, the witnesses, respectively, whose names are signed to the attached or foregoing instrument, having appeared together before me and having been first duly sworn, each then declared to me that the Grantors signed and executed the instrument as their Revocable Trust, and that they had willingly signed, and that they executed it as their free and voluntary act for the purposes therein expressed; and that each of the witnesses, in the presence and hearing of the Grantors, signed the Trust as a witness and that to the best of his or her knowledge, the Grantors were at that time eighteen or more years of age, of sound mind, and under no constraint or undue influence.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal this 15th day of October, 2018.



Notary Public

