Board of Adjustment

Meeting Agenda

City of Creve Coeur Government Center

300 North New Ballas Rd

May 18, 2017 | **4:00 PM** | **City Council Chamber**

I. CALL TO ORDER

Mr. Roger Levy (Chair)
Mr. Martin Satz
Mr. Ivan Schenberg
Mr. Glenn Wilen
Mr. John Becker
Ms. Alexandra Gada (Alternate)
Mr. Robert Mooney (Alternate)

Mr. Carl Lumley, City Attorney
Mr. Jason Jaggi, AICP, Director of Community Development
Ms. Whitney Kelly, AICP, City Planner
Ms. Jessica Stutte, Planning Assistant/Recording Secretary

Pursuant to Section 610.022 RSMO, the Board of Adjustment could, at any time during the meeting, vote to close the public meeting and move to closed session to discuss matters relating to litigation, legal actions and/or confidential or privileged communications with the City Attorney as provided under Section 610.021(1)RSMO or other matters as permitted by Chapter 610.

Reports, documents, plans, and related materials are available for examination at the Creve Coeur Government Center, 300 North New Ballas Road, prior to the meeting.

Special disabled service may be arranged by contacting the Office of the City Administrator in advance.

II. ADDITIONS TO-ACCEPTANCE OF THE AGENDA

III. APPROVAL OF MINUTES

1. November 17, 2016 Board of Adjustment Draft Meeting Minutes

IV. NEW BUSINESS

1. VARIANCE REQUESTS FOR THE PROPERTY AT 6 LADUE MEADOWS TO ALLOW FOR ADDITIONS TO THE HOME TO PROJECT UP TO 15 FEET INTO THE REAR-YARD WHERE THE REQUIRED REAR YARD IS 30 FEET

Betsy Clemens and Tim Broughton, property owners of 6 Ladue Meadows, zoned A Single Family Residential District, have submitted an application for the following variances: to allow a 69 foot by 39 foot one story addition; and, a 18.5 foot by 15 foot covered patio to project up to 15 feet into the rear yard setback, where Section 405.250(E)(4)(d) of the Zoning Ordinance requires a 30 foot rear yard setback for permitted uses.

V. OTHER BUSINESS

VI. ADJOURNMENT

Posted: _____

Jessica Stutte
Recording Secretary

CITY OF CREVE COEUR
BOARD OF ADJUSTMENT
MEETING MINUTES
THURSDAY, NOVEMBER 17, 2016
4:00 PM

A regular meeting of the Board of Adjustment of the City of Creve Coeur, Missouri was called to order by Chair Mr. Roger Levy at the Creve Coeur Government Center, 300 North New Ballas Road, at 4:00 p.m. on Thursday, November 17, 2016. The roll was called; in addition to the Chair, Mr. Glenn Wilen, Mr. Schenberg, Mr. Martin Satz, Mr. Robert Mooney were in attendance.

Also present were Mr. Carl Lumley, City Attorney; Mr. Jason Jaggi, Director of Community Development; Ms. Whitney Kelly, City Planner; and Jessica Stutte, Recording Secretary.

Mr. Schenburg made a motion to approve the minutes of September 15, 2016. Mr. Satz seconded the motion, which unanimously carried.

Chair Levy outlined the procedures of the Board of Adjustment, stating that four affirmative votes are required for the granting of a variance.

Reporter Deborah McLaughlin swore in all parties who wished to address the Board.

NEW BUSINESS

Variance Requests for the Property at 9974 Old Olive Street Road to Allow for Parking to be Within 3 to 5 Feet of the Front Property Line, Where Section 405.360 Requires that the First 10 Feet Provide Landscaping in the General Commercial District

Applicant/Agent: **Michael Pepper**
9974 Old Olive Road
Creve Coeur Mo 63141

Mr. John King of Lathrop & Gage LLP gave an introduction of the business that intends to move into 9974 Old Olive Street Road. He said they and City Staff agree additional parking is needed. He said they purchased land from the state, but not enough was available to meet the 10 feet as required by the city.
Mr. King said they are requesting a 7 ft. variance along Old Olive and a 5 ft. variance along Olive Street Road. He showed the proposed landscaping along Old Olive and Olive.

Mr. Wilen asked to see the last picture shown. He asked what the purpose was of the extended pavement.

Mr. King said it was for a car to be able to back up and turn around.

Mr. Wilen asked how 15 spaces were calculated to be needed.

Mr. King said it was based on the number of employees and expected customers.

Mr. Wilen asked if trucks would need to use the lot.

Mr. King said trucks would need to use the lot, but if the trucks were too big they would break down the delivery size to be smaller loads.

Attachment: BOA Minutes 11.17.16 (2443 : November 17, 2016 Board of Adjustment Draft Meeting Minutes)

Mr. Mooney asked where the trash receptacle area would be located.

Mr. Atkins pointed out where it would be.

Mr. Mooney if the air conditioner would be on the roof and asked for confirmation about the location of the main entrance.

Mr. King confirmed.

Mr. Wilen said he was concerned the elaborate landscaping wouldn't happen.

Mr. King said it would happen and they were installing an irrigation system. He also clarified his comments about truck deliveries and said it would only UPS delivering.

Mr. Schenberg asked if the Peppers would occupy the entire space.

Mr. King said it would be.

Mr. Levy asked if the neighboring business could use their lot.

Mr. Pepper said their lot would not have enough space to allow them to park.

Mr. Jaggi addressed the landscaping concern of Mr. Wilen. He said the Planning & Zoning Commission will examine the Landscaping and once it is on an approved plan it is required to be maintained. He said the lot is currently non-conforming and is an irregular shape, which causes some unique characteristics. He asked for clarification on the number of spaces.

Mr. Pepper confirmed it was 17 spaces.

Mr. Jaggi said there are different challenges with the property. He wanted to point out the 5 ft. variance along Olive does not run the length of the property. He said he believed the intent of the code was being met and the applicant had dimensional challenges.

Mr. Wilen asked for confirmation about the landscaping requirements.

Mr. Jaggi said the code requires 10 ft. strip of landscaping along the frontages of properties that abut street public right of way to allow sidewalks and to provide screening from car and lot lights.

There being no further comment,

City Attorney Carl Lumley offered the following exhibits into the record on behalf of the City:

1. Documentation of possession of the City Clerk that reflects the published and posted notice
2. Staff's report to the Board, with the Board of Adjustment application and all attachments thereto.
3. The City Charter
4. The Code of Ordinances of the City of Creve Coeur
5. The City Comprehensive Plan
6. All communications and letters received by the City to this point regarding the application.

End of Public Hearing

Vice-Chair moved to approve variances to allow a new parking area for the building located at 9974 Old Olive Street Road to allow setbacks three (3) feet from the property
line along Old Olive Street Road and five (5) feet from the property line along Olive

Attachment: BOA Minutes 11.17.16 (2443 : November 17, 2016 Board of Adjustment Draft Meeting Minutes)

Boulevard, where Section 405.360.E.4. Minimum Front Yard requires that the provisions of Section 405.240 shall prevail where applicable on major street and highways such that in every instance, the first ten feet of the front yard setback from the right-of-way shall be provided with and maintained with sidewalks, unless improved sidewalk exists in the abutting public right-of-way, and with landscaping including, but not limited to, deciduous street trees at regular intervals, based upon a positive finding that:

1. The variances requested arise from a condition which is unique to the property in question and which is not ordinarily found elsewhere in the same zoning district;
2. The variances requested are because of a unique hardship not created by the Applicant nor the owner of the property;
3. The granting of the variances will not adversely affect adjacent property owners or residents;
4. The strict application of the ten foot front-yard setback along Old Olive Street Road and Olive Boulevard will cause severe practical difficulty and extreme hardship for the property owner represented in the application;
5. The proposed parking lot addition will not adversely affect the public health, safety, order, convenience or general welfare of the community;
6. Granting the setback variances will not violate the general spirit and intent of this Chapter;
7. By reason of the lot shape and size within the GC-General Commercial zoning district, the strict application of the setback requirements actually creates a hardship to the property in a manner dissimilar to that of other similarly situated property in the zoning district; and,
8. Granting the variances will not result in the diversion of additional stormwater that would adversely affect adjacent property."

The motion was seconded by Mr. Schenburg with the resultant vote as follows:

Mr. Mooney-aye Mr. Wilen-aye Mr. Schenberg-aye Mr. Satz-aye Mr. Levy-Aye

Second Motion was made by Vice Chair Schenberg to approve the Findings of Fact and Conclusions of Law prepared by staff regarding the variance request for 9974 Old Olive Street Road based on the testimony received and the deliberations of the Board on this application, as decided on November 20, 2016.

OTHER BUSINESS

None

ADJOURNMENT

There being no further business to come before the Board of Adjustment, upon motion being made and duly seconded, the meeting was adjourned at 4:39 P.M.

_____
Roger Levy, Chair

_____
Jessica Stutte, Recording Secretary

Attachment: BOA Minutes 11.17.16 (2443 : November 17, 2016 Board of Adjustment Draft Meeting Minutes)

city of CREVE COEUR

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 432-6000 • Fax (314) 872-2539 • Relay MO 1-800-735-2966
www.creve-coeur.org

APPLICATION TO THE BOARD OF ADJUSTMENT

VARIANCE REQUESTS FOR THE PROPERTY AT 6 LADUE MEADOWS TO ALLOW FOR ADDITIONS TO THE HOME TO PROJECT UP TO 15 FEET INTO THE REAR-YARD WHERE THE REQUIRED REAR YARD IS 30 FEET

FOR THE MEETING OF: Thursday, May 18, 2017, 4:00 PM

SUBJECT PROPERTY LOCATION: 6 Ladue Meadows, zoned A Single Family Residential.

REQUEST: Betsy Clemens and Tim Broughton, property owners of 6 Ladue Meadows, zoned A Single Family Residential District, have submitted an application for the following variances: to allow a 69 foot by 39 foot one story addition; and, a 18.5 foot by 15 foot covered patio to project up to 15 feet into the rear yard setback, where Section 405.250(E)(4)(d) of the Zoning Ordinance requires a 30 foot rear yard setback for permitted uses.

ADDITIONAL INFORMATION: The existing home was built in 1960, prior to the current regulations, and there are pre-existing non-conformities. The lot depth is approximately 132 feet, where the minimum lot depth for properties in the A Single Family District is 150 feet.

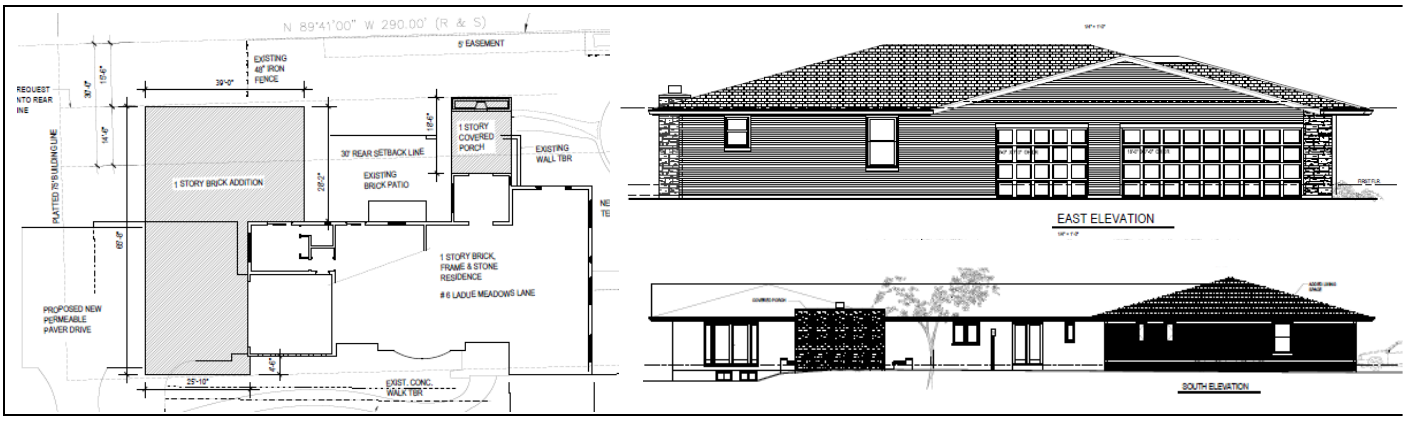
Key Issues:

- Degree of variance
- Impact to neighborhood
- Property versus owner hardship

Zoning Code References

- Section 405.230: Establishment of Size, Dimension and Access Criteria
- Section 405.250: A Single-Family Residential District
- Section 405.1040: Board of Adjustment
- 405.610 Non-conformities
- Section 405.1110: Variances and Appeals

APPLICANT: Betsy Clemens and Tim Broughton
6 Ladue Meadows
Creve Coeur, MO 63141



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner
DATE: 5-11-2017
ATTACHMENTS: Applicant's Materials submitted April 14, 2017
Public Comments Received

Attachment: 6 Ladue Meadows BOA Staff Report (2442 : 6 Ladue Meadows Variance Request)

BASIS FOR APPEAL AND STATED HARDSHIP

As stated in the attached application materials, the Applicant's basis for requesting the variance is a desire to build an addition and outdoor patio consistent in the style of the existing home. While the recorded plat indicates that the lot depth is 157.24 feet, and the lot width is 300 feet, when Ladue Meadows was made a public road, this resulted in the lot depth of 132 feet 3 inches. Due to the orientation of the existing home toward Ladue Meadows, Staff determined that the rear yard of 30 feet for the A Single Family District should apply. With this, and the corner lot configuration of a front yard setback of 50 feet along Ladue Meadows, and 75 feet along Mosley Road, the buildable area of the property is limited and hampers the applicant from being able to fully realize the proposed addition. Therefore, the Applicant is seeking approval to allow a one story addition to project 14 feet, 6 inches into the rear yard setback, and an outdoor covered patio to project 14 feet, 6 inches into the rear yard setback.

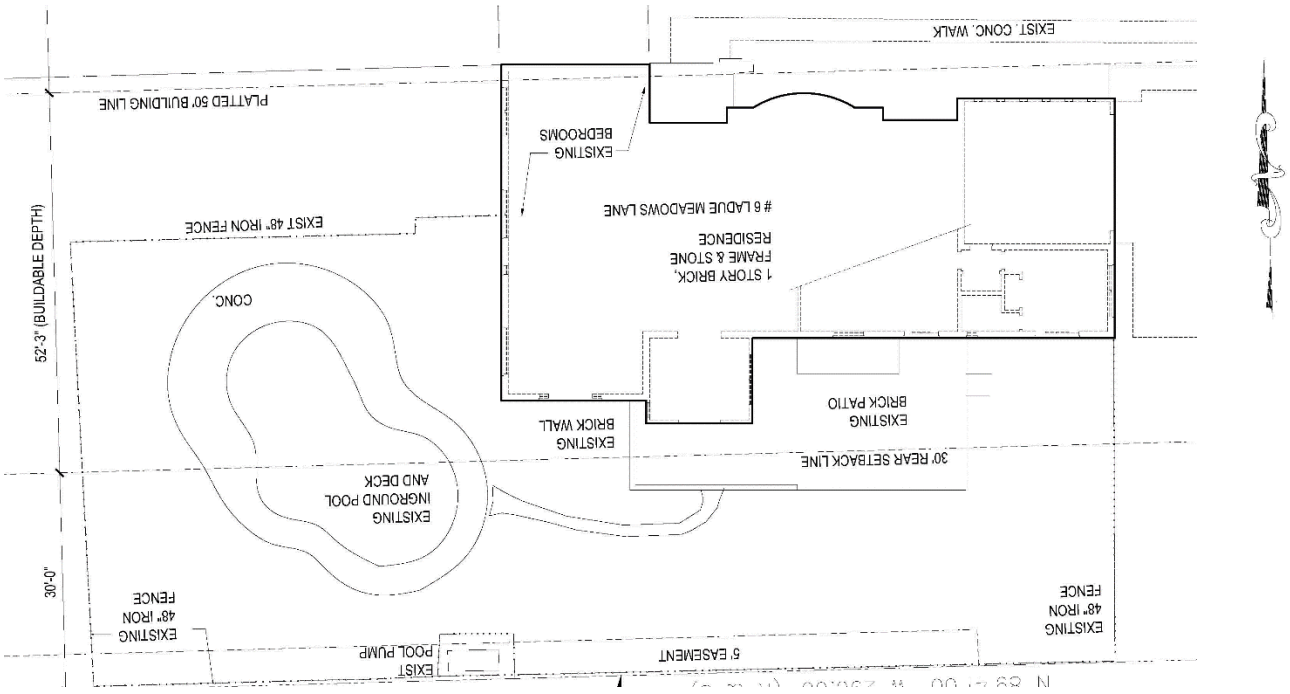


Figure 1: Close-up of the existing site plan.

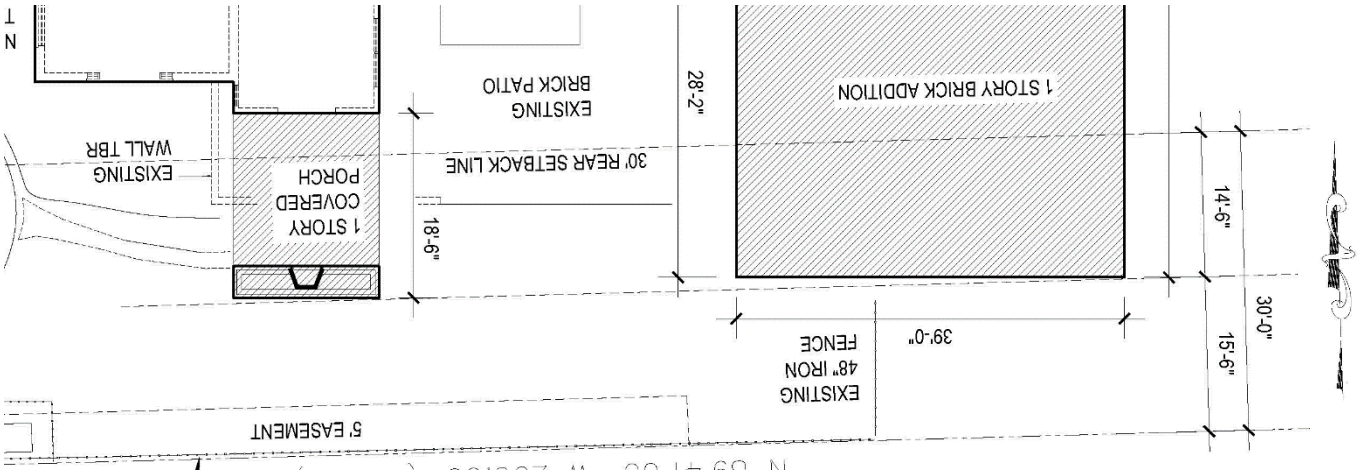


Figure 2: Close-up of the proposed site development plan.

Attachment: 6 Ladue Meadows BOA Staff Report (2442 : 6 Ladue Meadows Variance Request)

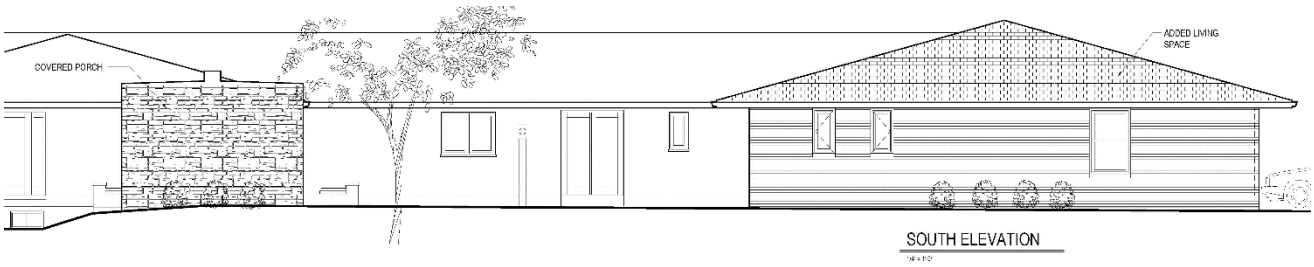


Figure 3: Close-up of the proposed south elevation.

Section 405.610(E) Non-Conformities within Setback Lines states that:

> *Section 405.610 Non-Conformities*
> *D. Non-Conformities Within Setback Lines. In addition to the provisions of Section 405.240 regulating setbacks, the following regulations shall apply to those non-conformities located within prescribed setback lines from the rights-of-way of public or approved private streets and highways.*
> > *1. Projection of existing structures into required setbacks. No structure shall be constructed, reconstructed or structurally altered in such a manner as to project into the area prescribed as a setback from a public or approved private street or as established by this Chapter.*

LAND USE AND ZONING OF SURROUNDING PROPERTIES

The adjacent zoning and land uses are as follows:

DIRECTION	USE	ZONED	SEPARATED BY
North	Residence	A Single Family Residential	Ladue Meadows
South	Residence	A Single Family Residential	NA
East	Residence	A Single Family Residential	Mosley Road
West	Residence	A Single Family Residential	NA

STAFF ANALYSIS

Performing an analysis of a variance appeal primarily requires a six-part examination of the facts, as required by *Section 405.1100, Criteria for Variances, Generally,* of the Zoning Ordinance. To wit:

1. **The variance requested arises from a condition which is unique to the property in question and which is not ordinarily found in the same zoning district;**

The home was originally built in 1960 prior to the current regulations, and originally platted at 157.24 feet by 300 feet, zoned "A" Single Family Residential and included what is now a portion of the public right-of-way of Ladue Meadows. When Ladue Meadows became a public road in 1974, this resulted in the home having a non-conforming lot size with regard to a dimension of approximately 132 feet, where the district requires a minimum lot size of one acre, a minimum lot depth of 150 feet, and a minimum lot width of 150 feet, per Section 405.240(E)(2). However, this narrow lot is not that unusual for the City, in that many homes have been exposed to a similar change in requirements and conditions.

Attachment: 6 Ladue Meadows BOA Staff Report (2442 : 6 Ladue Meadows Variance Request)

2. The variance requested is because of a unique hardship not created by the applicant nor the owner of the property;

While, the non-conformity of the lot dimensions is the result from the actions prior to the current Applicant, it is the Applicant's decision to place the addition and patio within the setback. However, the homeowner desires to maintain the single story, original character of the home. It is possible that the addition could be redesigned to fit within the buildable area, or a second story and/or detached accessory structures may be included in conformance with the Zoning Code. Thus, the placement of the additions within the rear-yard setback, in-order to maintain a single story ranch style home is solely the decision of the Applicant. It is the applicant's decision to create an addition to the home that creates the need for a variance.

3. The granting of the variance shall not adversely affect adjacent property owners or residents;

The improvements decrease the rear-yard setback by half of the property which is a significant amount, but, whether or not this enlargement represents an adverse impact upon adjacent property owners or residents is fairly debatable. The closest resident to the south has indicated an objection to an extension of the home.

It is important to note that Staff is seeking to include new language in the Zoning Code through the Planning and Zoning Commission that would provide clarity on defining yards based upon dimensions of the lot as they relate to corner lots. Where a corner lot with two front yards, the property line to the longer front yard with the greater street frontage shall be considered the side yard and the property line opposite to the front yard line with the lesser street frontage would be considered the rear yard, regardless of the orientation of the home, which would allow the applicant to implement the design as proposed. However, this discussion has not occurred with the Planning and Zoning Commission and concurrence with such regulation has not been approved. Therefore, the existing requirements must still be met.

4. The strict application of the provisions of the Zoning Ordinance from which a variance is requested, will cause severe practical difficulty or extreme hardship for the property owner represented in the application;

No evidence has been submitted that suggests that the property is so adversely affected by the zoning district regulations that they will cause an extreme hardship. It is the Applicant's decision to seek approval of the additions at approximately 15 feet from the rear property line, instead of maintaining the 30 foot setback. While the existing pool on the west portion of the lawn may be an obstacle and an amenity to the home that any resident may wish to maintain, it is fairly debatable that it represents an extreme hardship. While maintaining the character of the existing home is often cited as a goal of residents, the trend is often to do a teardown and rebuild. When completing additions, the option available is to the rear of the property. The Applicants wish to include a new three car garage, and in-law suit, and workshop area to a large degree requires them to obtain the variance. The inability to fully implement the design does not provide an extreme hardship for the property. If some of the elements were reduced, or eliminated the variance request could be reduced, or unnecessary altogether.

Attachment: 6 Ladue Meadows BOA Staff Report (2442 : 6 Ladue Meadows Variance Request)

5. **The variance desired will not adversely affect the public health, safety, order, convenience, or general welfare of the community, and**

Nothing in the request will affect the public health, safety, order, convenience, or general welfare of the community.

6. **Granting the variance desired will not violate the general spirit and intent of this Chapter.**

Certainly, the City has enjoyed the benefits of significant private investments in the existing housing stock; much of it made possible by the large lots that afford most houses plenty of "room to grow." In many prior applications, the root of the problem is that the house does not have "room to grow" because either the lot is non-conforming as to size and/or the house was built to a standard that does not conform to City's current zoning. As previously stated, this lot is constricted by the current placement of the home and the corner lot conditions. There is limited room to the rear without creating the need for a setback variance. The other options that are available which would likely not require a variance are on either side of the home, or as mentioned earlier, detached accessory structures. While the lot is non-conforming in width, it is the Applicant's design decisions that result in the need for a variance, and granting such would violate the general spirit and intent of the Zoning Ordinance.

Additional Criteria for Non-Use Variances
In addition to the above, Section 405.1110.E. *Criteria for Area Variances*, states that an applicant for an area variance must meet the following criteria:

1. **By reason of exceptional narrowness, shallowness or shape of the specific piece of property, or where by reason of exceptional topographical conditions or other extraordinary or exceptional circumstances that the strict application of the terms of the zoning regulations actually create a hardship to the property in a manner dissimilar to that of other similarly situated property in the zoning district in which it is located.**

While the lot is narrow in comparison to the district regulations, and the corner lot creates two front-yards setbacks that further reduce the buildable area, no evidence has been submitted that suggests that the property is so adversely affected by the zoning district regulations that it will cause an extreme hardship. While the area to the west could accommodate an addition, it may require the removal of the pool, which is a common amenity that many homeowners wish to keep. Other design options are available that would not require the need for a variance.

Therefore, the narrowness of the lot does not rise to the standard of creating an exceptional circumstance that creates a hardship in a manner dissimilar to other similarly situated properties in the A Single Family District.

2. **Granting the variance would not result in the diversion of additional stormwater that would adversely affect adjacent property.**

The lot was originally and appropriately graded to accommodate a home and it is anticipated that the proposed new home design would not alter the water flow patterns off the site.

Attachment: 6 Ladue Meadows BOA Staff Report (2442 : 6 Ladue Meadows Variance Request)

ACTION

Following its deliberation, the Board of Adjustment may vote in favor or against a motion to approve the request. Pursuant to Section 405.1110 of the Zoning Code, approval of a variance requires written findings of fact supporting the specified variance criteria. In order to make the vote on the application clear, an affirmative motion should be made and members can vote to approve or disapprove that motion. An example motion for the requested variance to the rear-yard setback would be:

> "I move to approve a variance to allow: a 69 foot by 39 foot one story addition; and, a 18.5 foot by 15 foot covered patio to project up to 14 feet, 6 inches into the rear yard setback, where Section 405.250(E)(4)(d) of the Zoning Ordinance has a required 30 foot rear yard setback for the property addressed as 6 Ladue Meadows, based upon a positive finding that:
>
> 1. The variance requested arises from a condition which is unique to the property in question and which is not ordinarily found elsewhere in the same zoning district;
> 2. The variance requested is because of a unique hardship not created by the Applicant nor the owner of the property;
> 3. The granting of the variance will not adversely affect adjacent property owners or residents;
> 4. The strict application of the rear-yard setback will cause severe practical difficulty and extreme hardship for the property owner represented in the application;
> 5. The proposed addition will not adversely affect the public health, safety, order, convenience or general welfare of the community;
> 6. Granting the setback variances will not violate the general spirit and intent of this Chapter;
> 7. By reason of the change of setbacks after construction, the strict application of the setback requirements actually creates a hardship to the property in a manner dissimilar to that of other similarly situated property in the zoning district; and,
> 8. Granting the variance will not result in the diversion of additional stormwater that would adversely affect adjacent property."

If the Board wishes to modify the application or add specific conditions of approval, they should do so by separate motion, prior to voting on the overall approval for the variance.

After the Board reaches a final decision regarding the request, a follow-up motion directing Staff to prepare and authorizing the Chair to execute the Findings of Fact and Conclusions of Law should be made. An example of such motion is:

> "I move to direct Staff to prepare and authorize the Chair of the Board of Adjustment to execute Findings of Fact and Conclusions of Law regarding the variance requested for 6 Ladue Meadows based upon the testimony received and the deliberations of the Board on this application, as decided on May 18, 2017."

In the event of a negative vote, it would be helpful for board members to identify the factor or factors (see items 1-8 above) which prompted such a vote.

Attachment: 6 Ladue Meadows BOA Staff Report (2442 : 6 Ladue Meadows Variance Request)

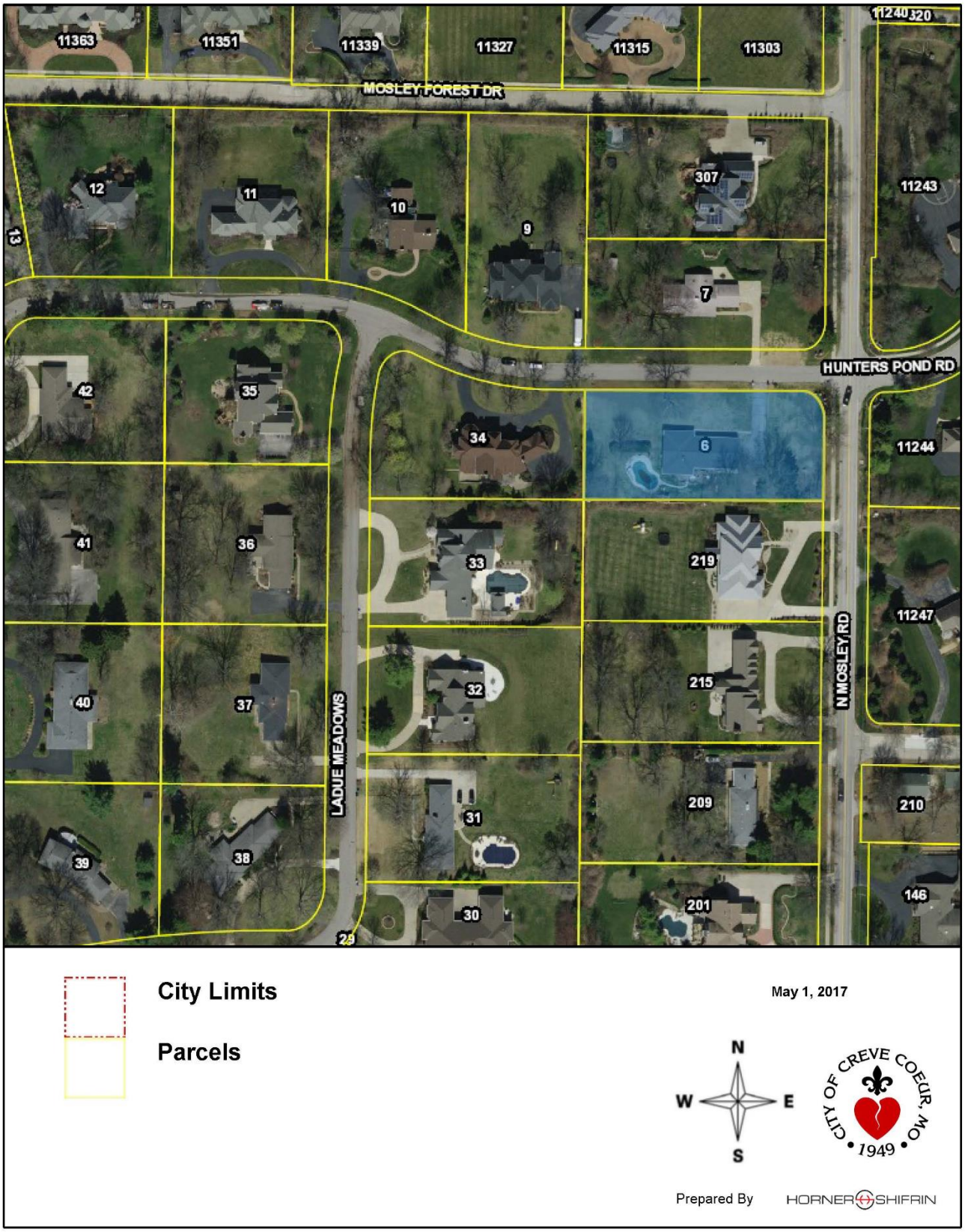
APPENDIX 1: COMPREHENSIVE PLAN
Included and attached by reference. See body of report for specific excerpts.

APPENDIX 2: ZONING CODE
Included and attached by reference. See body of report for specific excerpts.

Attachment: 6 Ladue Meadows BOA Staff Report (2442 : 6 Ladue Meadows Variance Request)

APPENDIX 3: AERIAL PHOTO

6 Ladue Meadows



Attachment: 6 Ladue Meadows BOA Staff Report (2442 : 6 Ladue Meadows Variance Request)

APPENDIX 4: SITE PHOTOGRAPHS Taken 5-10-2017

Description: View looking south from Ladue Meadows at the subject property.

Description: View looking west from Mosley Road at the subject property and it's adjacency to the property to the south.

Attachment: 6 Ladue Meadows BOA Staff Report (2442 : 6 Ladue Meadows Variance Request)

city of CREVE COEUR
COMMUNITY DEVELOPMENT DEPARTMENT

300 North New Ballas Road • Creve Coeur, Missouri 63141
(314) 872-2500/872-2501 • Fax (314) 872-2505 • Relay MO 1-800-735-2966
www.creve-coeur.org

BOARD OF ADJUSTMENT APPLICATION
NON-USE VARIANCE

PLEASE COMPLETE FRONT AND BACK PAGES

Applicant:	***Applicant's Representative (if applicable):***
Name Betsy Clemens and Tim Broughton	***Name***
Company (If Applicable)	*Company (If Applicable)*
Address 6 Ladue Meadows	*Address*
Address	*Address*
Telephone # 314-359-5286	*Telephone #*
Fax #	*Fax #*
Email: tim@mwhtc-stl.com	*Email:*

Applicant's Status (Indicate one):

_X_ Property Owner of Record

_____ Private Party (financial, contractual, or proprietary interest; consent of owner of record ***must*** be attached)

_____ Other Governmental Interest (Jurisdiction: _____)

The undersigned hereby requests to be placed on the Agenda for the Board of Adjustment meeting at 4:00 P.M. on Thursday,____, 20___.

_____ _____

Applicant's Signature ***Applicant's Representative's Signature***

_____ _____

Date Date

Attachment: Broughton Application 4-14-17 (2442 : 6 Ladue Meadows Variance Request)

*File #*_____

INSTRUCTIONS: Complete all of the following sections to the best of your ability. Provide additional materials as needed such as supplemental pages, diagrams, plans, or photographs. Please consult with Planning Division staff (314-872-2501) if you have any questions.

1. I request a variance so that the following may be built or installed on the property (attach building plans, landscape plans, surveys, etc. showing before and after conditions on the property):

   A single story addition to include: a covered porch, a three car side entry garage, and additional living space. See plans.

2. In support of my request, I offer the following:
   - Unique physical characteristics of the property (creek, steep slope, lot shape, etc.):

     Corner lot with 75' set back off Mosley and 50 ft setback off Ladue Meadows Lane.

     The position of the existing pool on the west end of the property limits the area for adding on to the south and east ends of the building.

   - Unique non-physical characteristics of the property (location, access, history, etc):

     Built in the 1960 era, this house is characteristic of the mid-century modern ranch home of that period. These are sought after homes, very suitable for aging in place and maintain a more economical price point in a changing neighborhood.

   - Any other differences between the Subject Property and other properties in the surrounding area which would warrant different treatment of the Subject Property:

     Since the property depth is measured from the center line of Ladue Meadows Lane - private street, the depth of the buildable area is reduced to 52 feet whereas the typical depth found in this zoning district has a much deeper buildable area of 70 feet.

   - Current uses and structures on the property:

     One story single family residence with existing pool structure to the west.

Continued on next page

Attachment: Broughton Application 4-14-17 (2442 : 6 Ladue Meadows Variance Request)

File #_____

3. Explain why the zoning laws unfairly burden the property compared to the other properties around it:

Since the property depth is measured from the center line of the private street, the depth of the buildable area is reduced to 52 feet whereas the typical depth found in this zoning district is 70 feet.

Other municipalities typically define the rear yard of a corner lot as that end opposite the shortest front yard. Creve Coeur does not define this in their ordinance.

4. Do you believe the problems described above hurt the market value of the property compared to similar properties in the area and, if so, what can you offer as evidence that this is true?

The surrounding homes are significantly larger . We are wanting to increase the square footage to bring the property more in-line with the surrounding properties. Other properties with similar square footage are being sold as "tear downs" vs. being valued with the structure.

5. Assuming the variance is approved, describe the potential effects or impacts on neighboring properties:

There is no negative impact on the adjacent properties because the the proposal is for a one story addition with minimal impact to the site. All runoff would be directed out to the streets and we have a existing 6 ft privacy fence along the south property line screening these improvements.

6. Assuming the variance is approved, describe any utilities or City and emergency services that will have to be added to or upgraded as a result?

None

7. Assuming the variance is approved, describe how much additional traffic will be created on the property and in the surrounding area as a result:

None

Attachment: Broughton Application 4-14-17 (2442 : 6 Ladue Meadows Variance Request)

Continued on next page

*File #*_____

8. Assuming the variance is approved, describe any additional street access or parking that will be needed:

None

9. Zoning district in which the property is located: Residential A

10. Size of the lot (total square feet or acres): 45,600 SQ. FT.

11. Please provide any other information in support of this request (on a separate sheet if needed):

See attached documents

12. Attach the following:

- Two (2) checks, $50.00 filing fee and $250.00 deposit, payable to "City of Creve Coeur."
- Ten (10) sets of scaled, legible plans (folded to a size no larger than 11"x14") of the improvements requiring a variance.
- Electronic copies of all submitted documents, malware-free on CD, DVD, or USB flash drive.

Office Use Only	
____ **Attachments/Plans**	Received By:
____ **Fees Paid**	_____
____ **Written Justification**	Date:_____

Jason Jaggi, AICP, Director of Community Development
Whitney Kelly, AICP, City Planner
Jessica Stutte, Administrative Assistant (872-2501)

Revised: 09/15

Attachment: Broughton Application 4-14-17 (2442 : 6 Ladue Meadows Variance Request)

JIM BULEJSKI ARCHITECT

April 14, 2017

Zoning Board of Adjustment c/o City Planner, Creve Coeur
300 North New Ballas Road
Creve Coeur, MO 63141
Attention: Ms. Whitney Kelly, City Planner

Re: Broughton Residence
6 Ladue Meadows
Creve Coeur, MO 63141

Dear Ms. Kelly:

This letter is to request a variance for a home located at 6 Ladue Meadows, in the Single Family Residential 'A' zoning district. The variance requested is to the required rear yard setback to construct a one story addition to the rear of the existing home and a covered patio to the rear.. The proposed addition is in violation of Section 405.250E.4.d of the Zoning Ordinance of the City of Creve Coeur which states that the rear yard setback for a structure shall be 30 feet from the property line.

The Broughton's plans are to construct an addition on the rear of their home to provide additional living space to their modest 2693 sq. ft. 1-story home, built in 1960. They would also like to build a covered patio near the existing pool.

Per section 405.250 E.2.c of the zoning ordinance of Creve Coeur, the minimum lot depth in 'A' Single-Family Residential District is 150'. The recorded lot depth of this property is 157.24 ft. measured from the rear property line to the center line of Ladue Meadows. Due to the street right-of-way of 25', the effective depth of the lot is 132.24' The 50 ft. front building line is measured from the right-of-way. With the 30 ft. rear building line the resulting buildable depth on this lot is 52.24'; whereas per the dimensional requirements in section 405.250 E.2 and E.4, the minimum buildable depth typically found in this district is 70', a difference of 15.66'.

Due to the positioning of the existing house and the in-ground pool that was constructed by a previous owner, the feasible buildable area is limited to the south and east end of the house, as opposed to extending straight out to the west.

The existing home is a one story house on a street that is now dominated by newly-constructed larger 2-story houses. The Broughton's want to expand their house in a way that meets the living standards of the rest of the neighborhood while maintaining the character of their existing mid-century modern ranch.

It is the Broughton's intention to construct the proposed addition in a practical manner consistent with the architecture and setting of the existing house. The addition will not affect neighboring properties visually or practically by limiting light or increasing water runoff. The proposed addition will be in keeping with the architectural style and materials of the existing home and will be landscaped in a similar fashion as the rest of the yard. These improvements will have no negative effect on the neighborhood.

Respectfully submitted,

Timothy Broughton

Dr. Betsy Clemens, M.D.

Prepared by: Jim Bulejski, Architect

345 Marshall Avenue, Suite 100, St Louis, MO 63119 • v:314.962.6700 • f:314.962.6702 • www.jbarchitect.com

Attachment: Broughton Variance Letter 4-14-17 (2442 : 6 Ladue Meadows Variance Request)

Attachment: Broughton Photo Sheet 1 (2442 : 6 Ladue Meadows Variance Request)

EXISTING REAR YARD

WEST ELEVATION

EAST ELEVATION

SOUTHEAST CORNER

NORTHEAST CORNER

FRONT ELEVATION

JIM BULEJSKI ARCHITECTS
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PHONE: 314/962-6700 ● FACSIMILE: 314/962-6900 ●
E-MAIL: JIM@JBARCHITECT.COM ●

date: 4/14/2

VARIANCE FOR:
Timothy and Betsy Broughton
6 Ladue Meadows
Creve Coeur, MO 63141

PHOTOS

sheet: 1 of 5

BOUNDARY RETRACEMENT AND IMPROVEMENT LOCATION SURVEY

LADUE MEADOWS PLAT 2

ST. LOUIS COUNTY, MISSOURI

SITE NOTES

1. SITE DATA: THE FOLLOWING INFORMATION HAS BEEN FURNISHED BY THE OWNER OR OWNERS CONSULTANT. THE ARCHITECT MAY ASSIST IN OBTAINING THIS INFORMATION BUT ACCEPTS NO RESPONSIBILITY FOR ITS ACCURACY. PROPERTY BOUNDARY INFORMATION INDICATED HEREIN WAS OBTAINED FROM: MARLER SURVEYING COMPANY, INC. ST. LOUIS, MISSOURI, DATED MARCH 13, 2017. THIS PROPERTY INFORMATION SHALL BE CONSIDERED PART OF THESE CONSTRUCTION DOCUMENTS AS IF BOUND HEREIN. CONTRACTOR SHALL REFER TO FOR OTHER INFORMATION AND BE FAMILIAR WITH THIS DOCUMENTATION BEFORE PROCEEDING WITH CONSTRUCTION. FIELD VERIFY ALL EXISTING CONDITIONS BEFORE PROCEEDINGS WITH WORK.
2. DISCLAIMER: THE ARCHITECT DISCLAIMS ANY RESPONSIBILITY FOR ALL BOUNDARY, TOPOGRAPHIC SITE RESTRICTIONS, EASEMENTS, BENCHMARKS, LEGAL DESCRIPTION, OR OTHER DOCUMENTS PREPARED BY THE ENGINEERS LISTED ABOVE. NOTE THAT THE PROPOSED SITE IMPROVEMENTS, I.E., NEW BUILDINGS AND GRADING HAS BEEN DRAWN ON THE SURVEY BY THE ARCHITECT. THE ARCHITECTS SEAL, IF ON THIS SHEET, APPLIES ONLY TO WORKING DRAWINGS PREPARED BY THE ARCHITECT.

0 20 40

300'-0"

LOT 5

LOT 33

75'-0"

10'-0"

65'-0"

Found 3/4" Iron Pipe

N 89°41'00" W 290.00' (R & S)

72" WOOD FENCE

5' EASEMENT

EXIST POOL PUMP

EXISTING 48" IRON FENCE

Found Iron Pipe

MOSLEY ROAD (VARIABLE WIDTH)

Street Pavement

S 00°19'00" W 157.24' (R & S)

102.24' (Calc. & S)

10' Wide Strip for Road Widening (P.B. 69/1)

PLATTED 75' BUILDING LINE

30' REAR SETBACK LINE

EXISTING BRICK PATIO

EXISTING BRICK WALL

EXISTING INGROUND POOL AND DECK

CONC.

LOT 6

LAND AREA 45,600 SQ. FT. GROSS 1.04± ACRES GROSS 38,156 SQ. FT. NET 0.87± ACRES NET EXCLUDING THAT PORTION OF THE ROADWAY EMBRACED WITHIN

1 STORY BRICK, FRAME & STONE RESIDENCE

6 LADUE MEADOWS LANE

EXISTING BEDROOMS

EXIST 48" IRON FENCE

30'-0"

52'-3" (BUILDABLE DEPTH)

15' SIDE SETBACK LINE

132'-3"

157'-2 7/8"

5' EASEMENT

LOT 34

N 00°19'00" E 157.24' (R & S)

PLATTED 50' BUILDING LINE

EXIST. CONC. WALK

48.3'

47.9'

50'-0"

75'-0"

50.00'

Found Iron Pipe

R=30.00'
D=90°00'00"
L=47.12'
(Calc. & S)

Found Iron Pipe

LADUE MEADOWS RIGHT OF WAY (ROW)

S 89°41'00" E 260.00' (Calc. & S)

EXISTING ENTRANCE MONUMENT

25'-0"

50.00'

Street Pavement

S 89°41'00" E 290.00' (R & S)

℄ LADUE MEADOWS LANE (50' W) PRIVATE

PLATTED AS TERRA MAR LANE (50' W) PRIVATE

Found Iron Pipe

LOT 7

JIM BULEJSKI ARCHITECTS
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date: 4/14/2017

VARIANCE FOR:
Timothy and Betsy Broughton
6 Ladue Meadows
Creve Coeur, MO 63141

EXISTING SITE PLAN

sheet: 2 of 5

Attachment: Broughton Addition Variance 4-14-17 (2442 : 6 Ladue Meadows Variance Request)

BOUNDARY RETRACEMENT AND IMPROVEMENT LOCATION SURVEY
LADUE MEADOWS PLAT 2
ST. LOUIS COUNTY, MISSOURI

SITE NOTES

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0 20 40

LOT 5

LOT 33

LOT 34

LOT 7

MOSLEY ROAD (VARIABLE WIDTH)

Street Pavement

10' Wide Strip for Road Widening (P.B. 69/1)

75'-0"

10'-0"

65'-0"

Found 3/4" Iron Pipe

S 00°19'00" W 157.24' (R & S)

102.24' (Calc. & S)

N 89°41'00" W 290.00' (R & S)

72" WOOD FENCE

5' EASEMENT

EXIST POOL PUMP

EXISTING 48" IRON FENCE

Found Iron Pipe

VARIANCE REQUEST FOR 14'-6" INTO REAR SETBACK LINE

30'-0"

15'-6"

14'-6"

39'-0"

EXISTING 48" IRON FENCE

PLATTED 75' BUILDING LINE

18'-6"

1 STORY COVERED PORCH

30' REAR SETBACK LINE

EXISTING WALL TBR

EXISTING INGROUND POOL AND DECK

1 STORY BRICK ADDITION

28'-2"

EXISTING BRICK PATIO

NEW TERRACE

CONC.

65'-8"

LOT 6

LAND AREA 45,600 SQ. FT. GROSS 1.04± ACRES GROSS 38,156 SQ. FT. NET 0.87± ACRES NET EXCLUDING THAT PORTION OF THE ROADWAY EMBRACED WITHIN

1 STORY BRICK, FRAME & STONE RESIDENCE

6 LADUE MEADOWS LANE

EXIST 48" IRON FENCE

15' SIDE SETBACK LINE

5' EASEMENT

N 00°19'00" E 157.24' (R & S)

PROPOSED NEW PERMEABLE PAVER DRIVE

4'-6"

PLATTED 50' BUILDING LINE

25'-10"

EXIST. CONC. WALK TBR

PROPOSED NEW PERMEABLE PAVER WALK

EXISTING FLAG POLE

48.3'

47.9'

50'-0"

75'-0"

50.00'

25'-0"

50.00'

(Calc. & R)
R=30.00'
D=90°00'00"
L=47.12'

Found Iron Pipe

EXISTING ENTRANCE MONUMENT

LADUE MEADOWS RIGHT OF WAY (ROW)

S 89°41'00" E 260.00' (Calc. & S)

Found Iron Pipe

Street Pavement

S 89°41'00" E 290.00' (R & S)

℄ LADUE MEADOWS LANE (50' W) PRIVATE

PLATTED AS TERRA MAR LANE (50' W) PRIVATE

Found Iron Pipe

date: 4/14/2017

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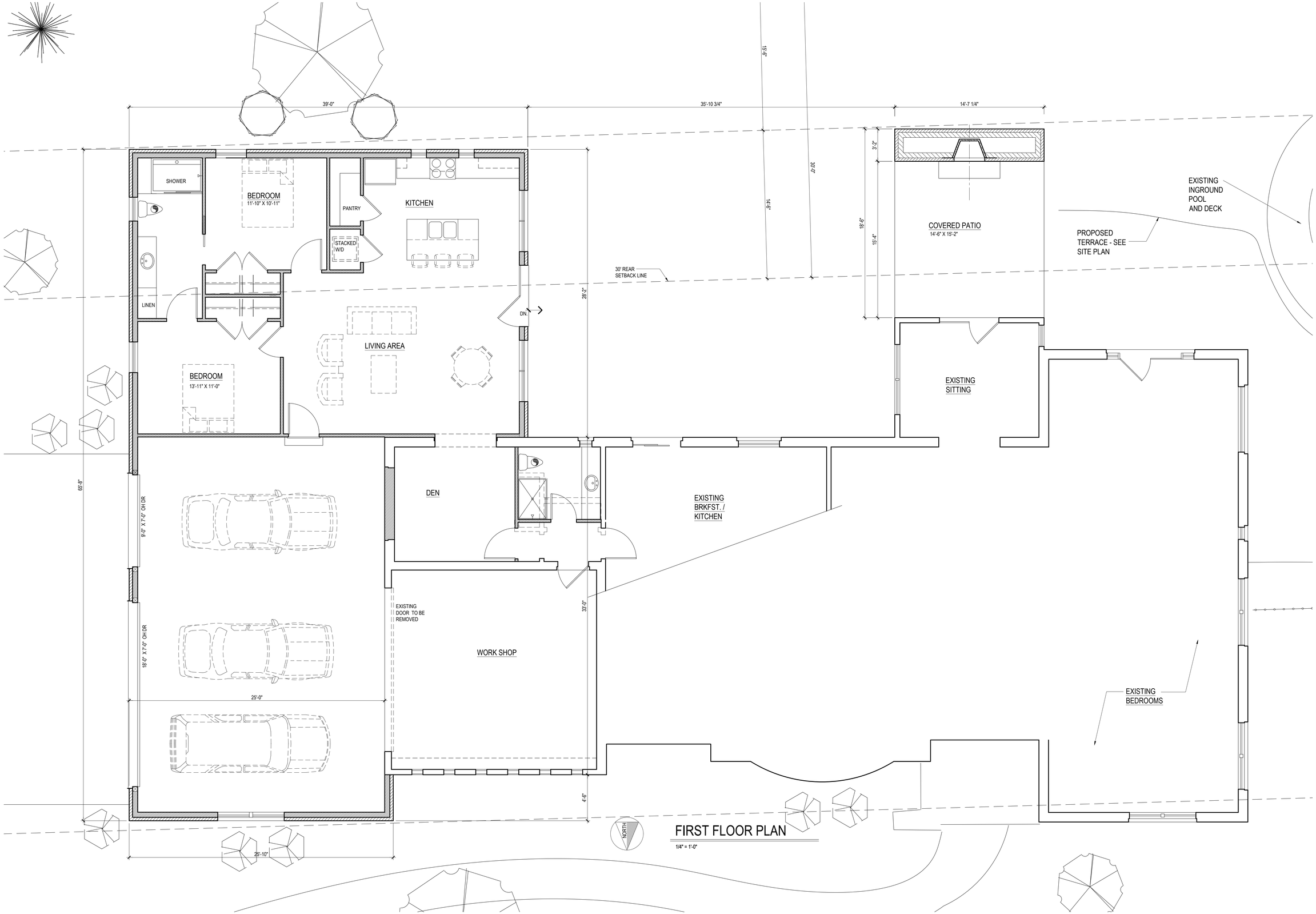
VARIANCE FOR:
Timothy and Betsy Broughton
6 Ladue Meadows
Creve Coeur, MO 63141

Attachment: Broughton Addition Variance 4-14-17 (2442 : 6 Ladue Meadows Variance Request)

PROPOSED SITE PLAN

sheet: 3 of 5



FIRST FLOOR PLAN

1/4" = 1'-0"

date: 4/14/2017

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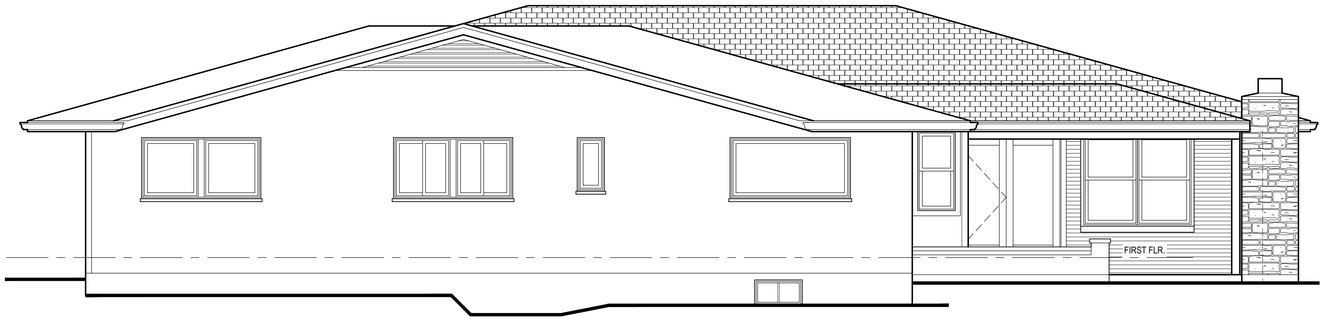
VARIANCE FOR:

Timothy and Betsy Broughton
6 Ladue Meadows
Creve Coeur, MO 63141

FIRST FLOOR PLAN

sheet: 4 of 5

Attachment: Broughton Addition Variance 4-14-17 (2442 : 6 Ladue Meadows Variance Request)

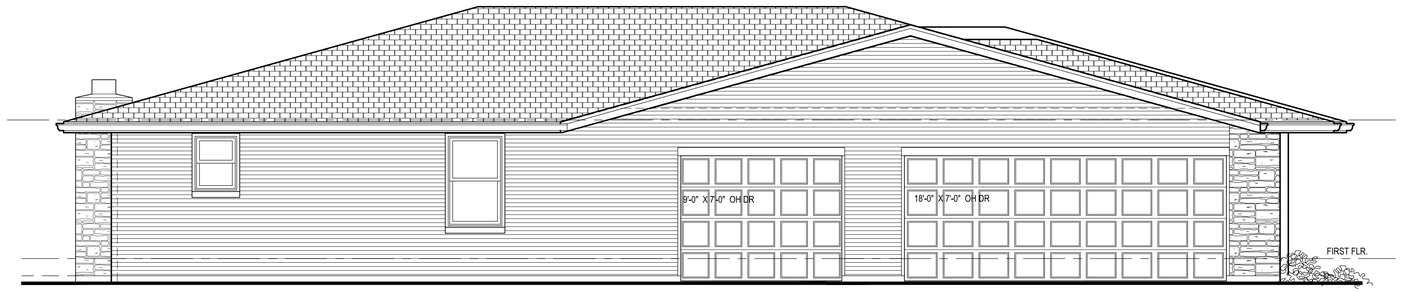


WEST ELEVATION

1/4" = 1'-0"

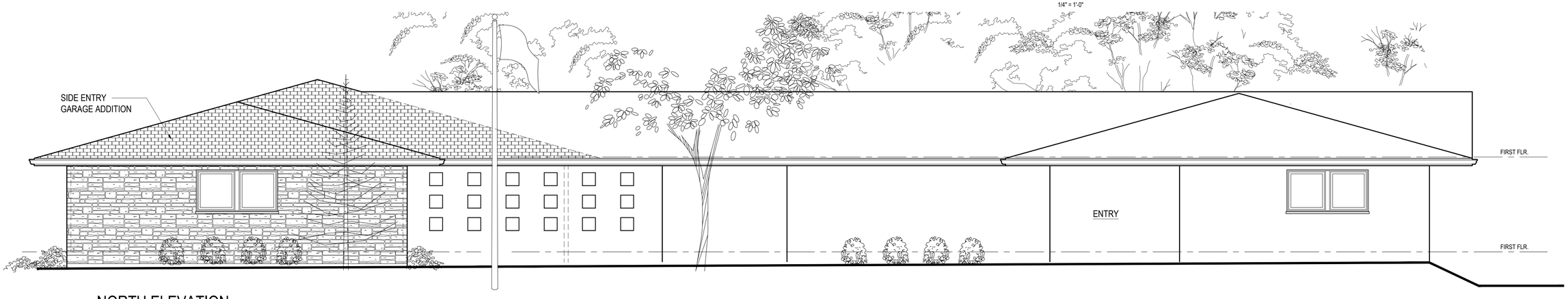
SOUTH ELEVATION

1/4" = 1'-0"



EAST ELEVATION

1/4" = 1'-0"



NORTH ELEVATION

1/4" = 1'-0"

date: 4/14/2017

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VARIANCE FOR:

Timothy and Betsy Broughton
6 Ladue Meadows
Creve Coeur, MO 63141

EXTERIOR ELEVATIONS

sheet: 5 of 5

Attachment: Broughton Addition Variance 4-14-17 (2442 : 6 Ladue Meadows Variance Request)

Whitney Kelly <wkelly@crevecoeurmo.gov>

Notice of Public Hearing-6 Ladue Meadows additions

1 message

Me, Jenny <jenny14010@gmail.com> Mon, May 8, 2017 at 9:51 PM
To: "wkelly@crevecoeurmo.gov" <wkelly@crevecoeurmo.gov>

Dear Ms. Kelly,

My name is Xiangning (Jenny) Wang. My husband's name is Weigang (James) Zhu. We are the new homeowners of 219 N Mosley Rd, Creve Coeur MO, 63141. We just got a notice of public hearing regarding 6 Ladue Meadow addition. According to the Section 405.250(E)(4)(d) of the Zoning Ordinance, 30 foot rear yard setback is required for the building. If one homeowner can violate it, any other homeowner can do it too. We are strongly against their plan.

Thanks.

Sincerely,

Weigang Zhu & Xiangning Wang

Attachment: Public Comment 1 (2442 : 6 Ladue Meadows Variance Request)

Whitney Kelly <wkelly@crevecoeurmo.gov>

Public Hearing - Variance Request - 6 Ladue Meadows

1 message

David Pacino <djpacino@sbcglobal.net> Wed, May 10, 2017 at 2:54 PM
Reply-To: David Pacino <djpacino@sbcglobal.net>
To: "wkelly@crevecoeurmo.gov" <wkelly@crevecoeurmo.gov>
Cc: "elawrence@crevecoeurmo.gov" <elawrence@crevecoeurmo.gov>

From: David J. Pacino, Homeowner
Address: 215 North Mosley Road, Creve Coeur, MO

Variance Request: 6 Ladue Meadows

The current owners of 6 Ladue Meadows have spent a considerable amount of time and money upgrading their property which is much appreciated by the neighborhood. However, I am not in favor of granting the variance requested by Betsy Clemens and Tim Broughton for their home addition at 6 Ladue Meadows. They are requesting a variance to build an addition to their home which would project up to 15 feet into the rear yard setback. Currently, the zoning ordinance requires a 30 foot rear yard setback.

I live in this area because of the large lots and amount of space between homes. People can use their backyards without the fear of bothering their neighbors. Because of the way the 6 Ladue Meadows lot is situated, it is already much closer to nearby homes than other lots in the neighborhood. Granting a variance would make this home even closer to its neighbors. The homeowners at 6 Ladue Meadows frequently play loud music poolside and have a dog that often barks. Building a covered patio and home addition even closer to their property line would increase the frequency of these interruptions experienced by neighbors.

Attachment: Public Comment 2 (2442 : 6 Ladue Meadows Variance Request)

One other point of concern: The owners at 6 Ladue Meadows recently landscaped the east side of their lot closest to Mosley Road. While the landscaping is attractive, the design of the berms apparently causes water to flood the sidewalk during and after a heavy rain. This issue did not occur in the past and needs to be remedied. They have also planted tall grasses between the sidewalk and Mosley Road which may block the sidewalk and part of the street once the grass reaches its full height. This could be a safety issue for pedestrians and motorists.

Thank you for your consideration.

David J. Pacino

Attachment: Public Comment 2 (2442 : 6 Ladue Meadows Variance Request)

Whitney Kelly <wkelly@crevecoeurmo.gov>

Letter concerning Notice of Public Hearing:

1 message

Elaine Frost <elfrost7@charter.net> Wed, May 10, 2017 at 5:27 PM
To: wkelly@crevecoeurmo.gov
Cc: Lawrence Ellen <ellenblawrence@yahoo.com>

Dear Whitney Kelly and Board,
Tim Broughton and Betsy Clemens have been upfront about their plans for the home at 7 Ladue Meadows. I live directly across the street from them, and I am writing in support of their need for the variances on their property. I am not able to attend the meeting so I am writing a letter. Tim and Betsy love their neighborhood and only want to improve and enhance their property. I have been informed during the different stages, and have even been asked my opinion.

I am in favor of their plan and look forward to following the process. I hope the variance will be approved so they can move forward.

Sincerely,
Elaine L. Frost
7 Ladue Meadows
Creve Coeur, MO 63141

CC: Ellen Lawrence
Ted Ruzicka

Attachment: Public Comment 3 (2442 : 6 Ladue Meadows Variance Request)