



Board of Adjustment
Meeting Agenda
City of Creve Coeur Government Center
300 North New Ballas Rd

December 17, 2020

4:00 PM

City Council Chamber

As a precautionary measure to help prevent exposure and spread of COVID-19, the Board of Adjustment meeting scheduled for Thursday, December 17, 2020, at 4:00 p.m. will be livestreamed online.

The Council Chambers will be closed to the public; however, citizens are encouraged to participate and submit public comments in the following ways:

1. **Video Livestream** — Watch a live video broadcast of the Board of Adjustment Meeting here: <https://us02web.zoom.us/j/83617844553>. The public will be required to provide a name and email address to enter the meeting. The email address will not be saved or used to contact you. Citizens will have the opportunity to make public comments live during the meeting using the video livestream program (**How to Participate in Online Public Meetings**).
2. **Teleconference** — Call in to the meeting by dialing 1-301-715-8592/// Webinar ID: webinar ID: 836 1784 4553.
3. **Email** — Public comment may also be emailed to the City no later than 3:00 p.m. on Thursday, December 17, 2020. Submit public comments to Whitney Kelly, City Planner, at wkelly@crevecoeurmo.gov.
4. **Live Audio** — Listen to a live audio broadcast of the Planning and Zoning Commission meeting by visiting the **Agendas & Minutes** page and clicking on the "Audio" link at the start of the meeting (audio only).

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.

I. CALL TO ORDER

Mr. Glenn Wilen (Chair)
Mr. Martin Satz
Mr. Robert Mooney
Ms. DP Villacis
Mr. James Kostelc

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

II. ADDITIONS TO-ACCEPTANCE OF THE AGENDA

III. APPROVAL OF MINUTES

1. November 19, 2020 Board of Adjustment Draft Meeting Minutes

IV. NEW BUSINESS

- 1. Variance Request for the Property at 3 Benwood Lane to Allow for a Swimming Pool and Associated Patio Area 4 Feet from the North Property Line, Where Section 405.460 Accessory Uses and Structures Requires that Such Structures Are a Minimum of 15 Feet from the Property Line**

Wilson Waggoner, of Sherrill Associates, Inc. on behalf of Joseph and Kimberly Cacciabando, the homeowners at 3 Benwood Lane, Creve Coeur, MO, 63141, has submitted an application for a variance to allow for a swimming pool to be located closer to the property line than allowed by code. Section 405.460(B)(6) Accessory Uses and Structures of the City of Creve Coeur Zoning Ordinance requires that swimming pools and other similar facilities, are to be setback at least 15 feet from any lot line. The proposed placement of the pool would be at 7.1 feet from the side property line, and the patio at 4 feet from the side property line.

V. OTHER BUSINESS**VI. ADJOURNMENT**

Pursuant to Section 610.022 RSMO, the Planning and Zoning Commission 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 communications from the City Attorney as provided under Section 610.021(1) RSMo. and/or personnel matters under Section 610.021(13) RSMo. and/or employee matters under Section 610.021(3) RSMo. and/or real estate matters under Section 610.021(2) or other matters as permitted by Chapter 610.

Posted: _____
Jason W. Jaggi
Director of Community Development



Board of Adjustment
Meeting Draft Minutes
City of Creve Coeur Government Center
300 North New Ballas Rd

November 19, 2020

4:00 PM

City Council Chamber

I. CALL TO ORDER

Ms. D Villacis, Vice Chair, called the meeting to order at 4:15 pm.

Alexandra Gada	Board Member	(Absent)
Robert Mooney	Board Member	(Remote)
Martin Satz	Board Member	(Remote)
Glenn Wilen	Board Member	(Remote)
James Kostelc	Board Member	(Absent)
DP Villacis	Board Member	(Remote)

The following staff were also present: attending remotely Carl Lumley, City Attorney; Jason Jaggi, Director of Community Development; attending remotely Whitney Kelly, City Planner; attending remotely Jessica Stutte, Planning Assistant/ Recording Secretary; and, Chris Tumbarello, IT Coordinator.

II. ADDITIONS TO-ACCEPTANCE OF THE AGENDA

Mr. Mooney made a motion to accept the agenda. Mr. Satz seconded. All in favor.

III. APPROVAL OF MINUTES

1. March 21, 2019 Board of Adjustment Draft Meeting Minutes

Mr. Satz made a motion to approve the minutes from March 21, 2019. Mr. Mooney seconded. All in favor.

IV. NEW BUSINESS

V. OTHER BUSINESS

Mr. Jaggi said the Board had not met for a while.
 He went over the Ethics Training, along with the expectations and role of the board members.

Mr. Lumley reviewed *Board of Adjustment 101* to keep board members fresh with the legal expectations.

Ms. Villacis suggested they move on to nominations for the Chair and Vice-Chair.

Mr. Wilen volunteered to serve as Chair. Mr. Mooney seconded. All in favor.

Ms. Villacis volunteered to serve as Vice-Chair. All in favor.
 Ms. Villacis said they would have a meeting December 14th.

VI. ADJOURNMENT

Ms. Villacis made a motion to adjourn. All in favor. Meeting adjourned at 5:00 pm.

Attachment: BOA 11.19.2020 DRAFT Minutes (November 19, 2020 Board of Adjustment Draft Meeting Minutes)



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 REQUEST FOR THE PROPERTY AT 3 BENWOOD LANE TO
ALLOW FOR A SWIMMING POOL AND ASSOCIATED PATIO AREA 4 FEET
FROM THE NORTH PROPERTY LINE, WHERE SECTION 405.460 ACCESSORY
USES AND STRUCTURES REQUIRES THAT SUCH STRUCTURES ARE A
MINIMUM OF 15 FEET FROM THE PROPERTY LINE**

FOR THE MEETING OF: Thursday, December 17, 2020, 4:00 PM

SUBJECT PROPERTY LOCATION: 3 Benwood Lane, zoned C Single Family Residential District.

REQUEST: Wilson Waggoner, of Sherrill Associates, Inc. on behalf of Joseph and Kimberly Cacciabando, the homeowners at 3 Benwood Lane, Creve Coeur, MO, 63141, has submitted an application for a variance to allow for a swimming pool to be located closer to the property line than allowed by code. Section 405.460(B)(6) Accessory Uses and Structures of the City of Creve Coeur Zoning Ordinance requires that swimming pools and other similar facilities, are to be setback at least 15 feet from any lot line. The proposed placement of the pool would be at 7.1 feet from the side property line, and the patio at 4 feet from the side property line.

ADDITIONAL INFORMATION: The property is zoned C Single Family residential and is a corner lot to Benwood and Morwood Lane. Section 405.630(B) Front Yard, Side Yard And Rear Yard Of Corner Lot states that: Any corner lot shall have front yard equivalent setbacks along all street frontages. The property line opposite to the front yard line with the greater street frontage shall be considered the side yard line and the property line opposite to the front yard line with the lesser street frontage shall be considered the rear yard line. Therefore, the north property line is the side yard with a setback of 12 feet and the rear yard is to the west with a setback of 30 feet.

Key Issues:

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

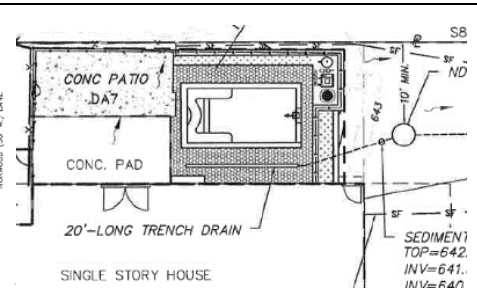
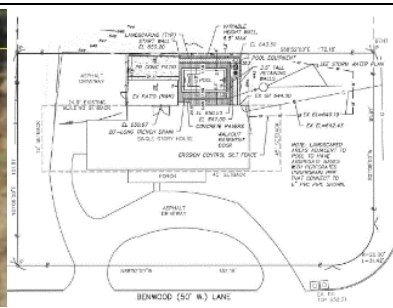
Zoning Code References

- Section 405.270: C Single-Family Residential
- Section 405.460: Accessory Uses and Structures.
- Section 405.1040: Board of Adjustment
- Section 405.1110 Variances and Appeals

APPLICANT: Joseph and Kimberly Cacciabando
3 Benwood Lane
Creve Coeur, MO 63141

**APPLICANT'S
REPRESENTATIVE:**

Wilson Waggoner
Sherrill Associates, Inc.
316 N. Main Street
Edwardsville, IL 62025



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner

DATE: 12/9/2020

ATTACHMENTS: Applicant's Materials submitted December 9, 2020
Public Comments

Attachment: 3 Benwood Ln Staff Report (3 Benwood Ln Pool Variance Request)

BASIS FOR APPEAL AND STATED HARDSHIP

The property is located on a corner lot within the Morwood Hills subdivision and zoned C- Single Family Residential District. The lot is rectangular with dimensions of approximately 172 x 102 feet with a total lot area of 17,430 square feet. According to County records, the house was built in 1962. The property generally slopes from west to east with variation in grades adjacent to the home.

The C Single Family District provides the following minimum dimensional regulations:

Front yard:	45-feet
Side yard:	12-feet or 15% of the lot width, whichever is less with a minimum side yard setback of 7.5-feet for non-conforming lots.
Rear yard:	30-feet
Minimum lot area:	15,000 square feet
Minimum lot dimensions:	Width: 75-feet; Depth: 100-feet

Based on the submitted plans, the property is compliant with the above minimum zoning district standards. It should be noted; however, that based on the zoning definitions for yard areas on corner lots, the back of the home is considered the side yard, the left side of the home is the rear yard and both yard areas facing the street are considered the front yards for zoning purposes.

The Applicants are seeking the placement of a swimming pool directly behind the home. The request places the pool approximately 7.1 feet, and including the patio area, at 4 feet from the north property line. The pump area will further encroach into the setback area approximately another 2 feet, where Section 405.460(6) requires that any swimming pool and its related structures are to be setback 15 feet from any lot line, per the following:

Section 405.460 Accessory Uses and Structures:

6. Recreation facilities located within the required side or rear yard including private swimming pools, bathhouses, tennis, basketball, racquetball, handball and other game courts, hockey/ice rinks, batting cages, and other similar facilities, provided that such facilities are set back at least fifteen (15) feet from any lot line and any fence associated with such uses shall comply with the provisions of Section 405.640. Patios constructed in conjunction with any swimming pool may be located within a required rear yard provided that they are not located within an easement or closer than ten (10) feet to any property line.

Section 405.630 Yard Regulations

6. Swimming pools and related structures. Swimming pools and related structures are allowed within the required side or rear yards provided they meet with Section 405.460(6) and Section 405.640, Fences and Walls.

The Applicant has indicated that there will be a white, 4-foot-tall privacy fence. The material of the fence was not provided. Section 405.640(G) prohibits the use of solid white vinyl. Therefore, any fence material and design would have to comply with Section 405.640.

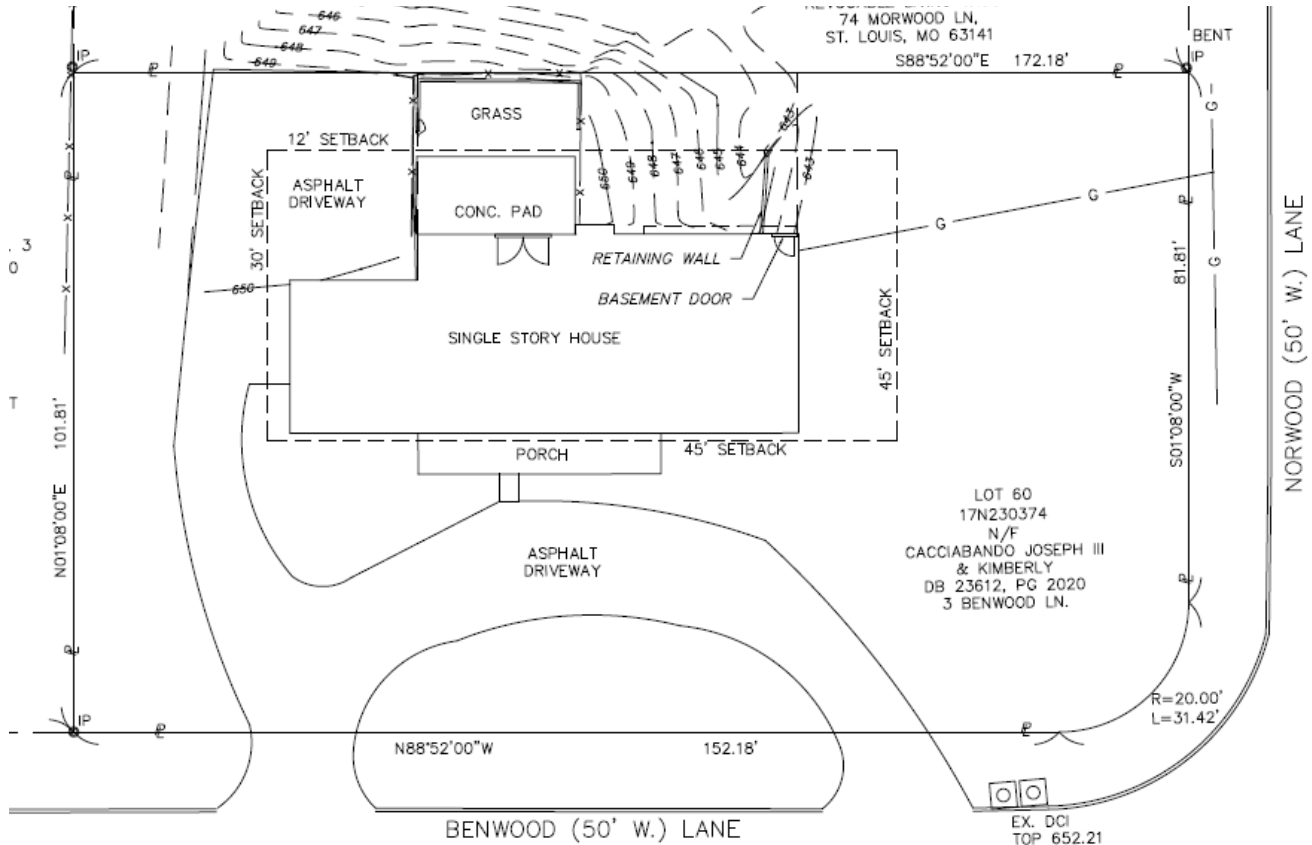


Figure 1: Close-up of the existing site plan.

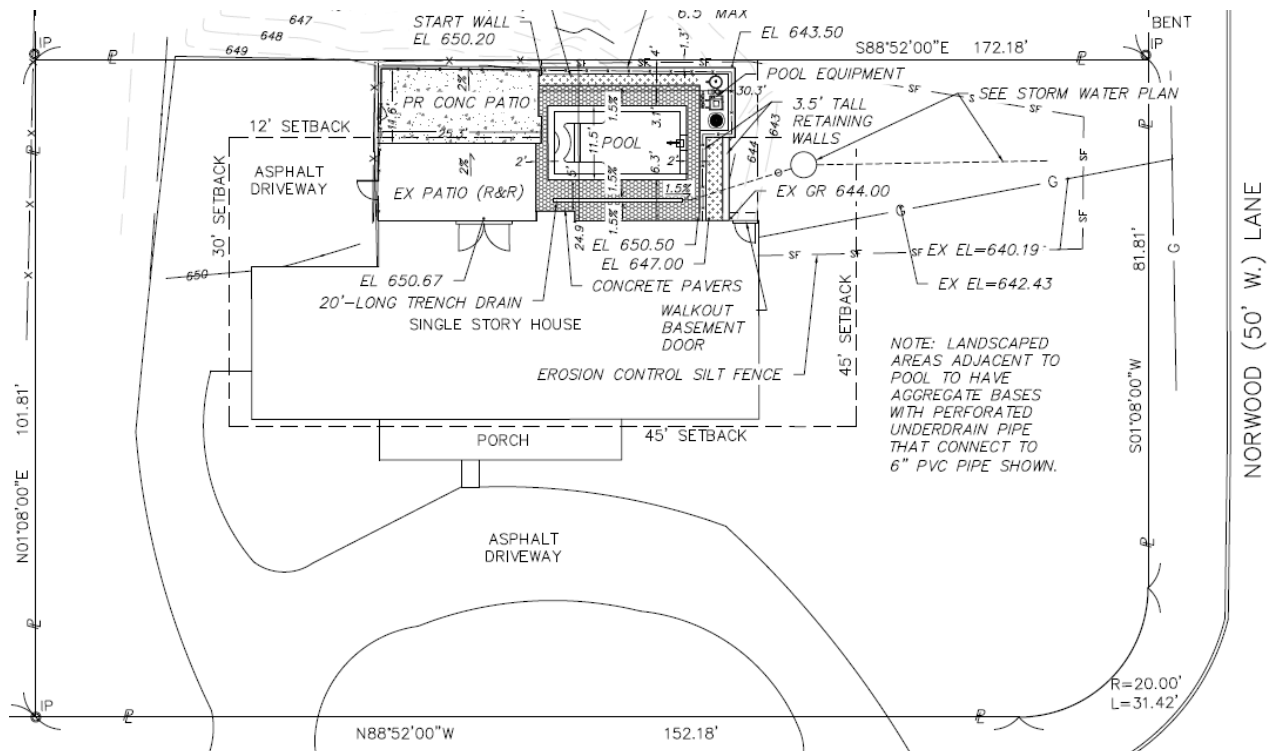
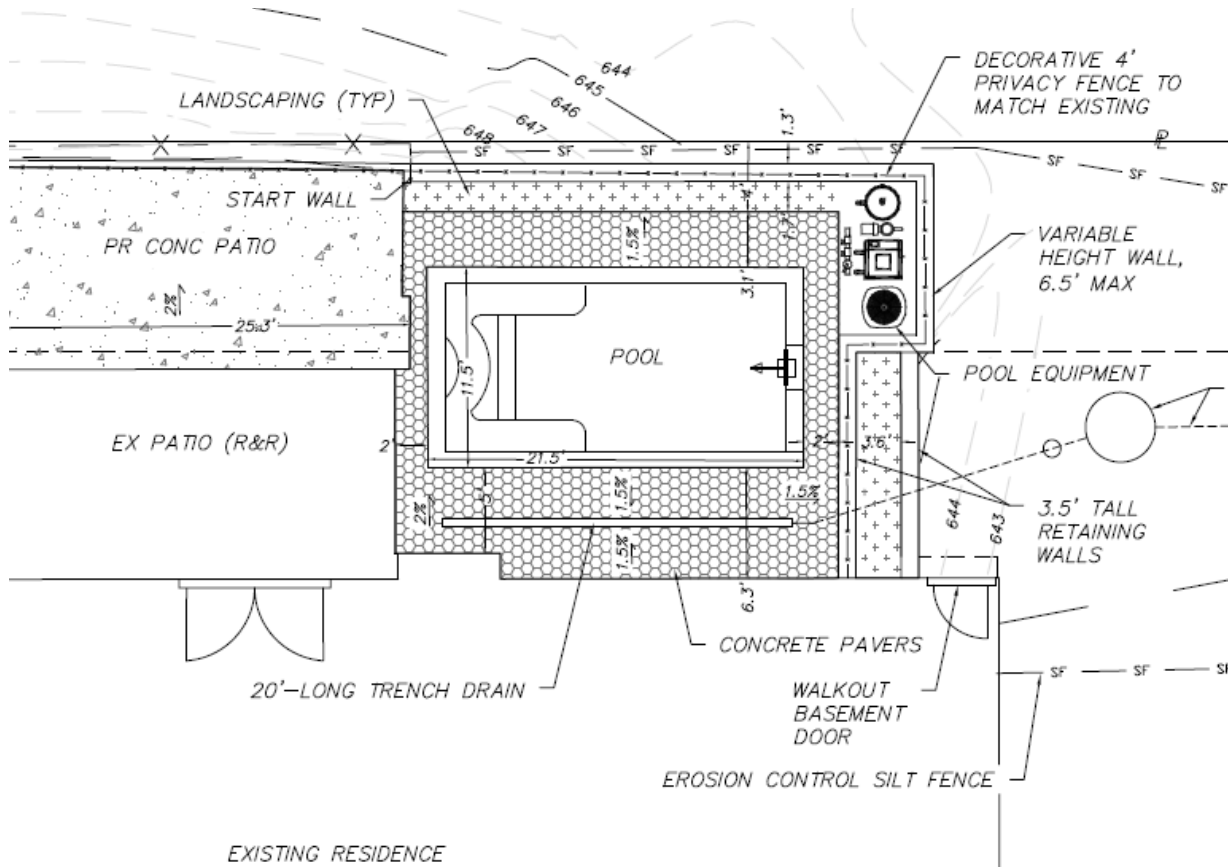


Figure 2: Applicant's Site Plan



LAND USE AND ZONING OF SURROUNDING PROPERTIES

DIRECTION	USE	ZONED	SEPARATED BY
North	Residence	C Single Family Residential	NA
South	Residence	C Single Family Residential	Benwood Lane
East	Residence	C Single Family Residential	Morwood Lane
West	Residence	C Single Family Residential	NA

STAFF ANALYSIS

- 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;**

This subdivision was originally developed in the City of Creve Coeur in 1962 prior to the existing regulations. However, as previously noted, the lot exceeds the current standards with regard to lot area for the C Single Family Residential District, where the minimum lot width is 75 feet and the minimum lot depth is 100 feet, and a lot area of 15,000 square feet. The property is 101.81 feet across and has a lot width along the north property line of 172.18 feet. For any corner lot, the development of the parcel is somewhat restricted due to the nature of a front yard setback along two street frontages. However, the existing home is set within the established setback. Further, as stated earlier in the report, in consideration

of the front yards on a corner lot, the Code was updated to more clearly define the side and rear yards. The home has a side garage to the west that prohibits the utilization of that area for a pool. The Applicants did consider the idea of constructing the pool on the right side (east) of the house rather than behind the house and that configuration was presented with a permit application, but it was determined that this also violated the Zoning Ordinance, in that it would be within the front yard along Morwood Lane. The existing garage and driveway on the west are generally where a pool for homes on corner lots with this configuration would be located. The Applicant has provided no additional evidence which provides other unique characteristics of this lot compared to other corner lots within the neighborhood or similar situated corner lots in the C District.

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

The home is pre-existing and the location of the driveway, garage, and layout of the home limits room for outdoor amenities in the rear yard such as a typical sized pool. This, combined with the corner lot with two front yard setbacks, presents practical difficulties with the placement of a pool. To place a pool within this area would most likely require a variance as there is approximately 11-feet from the back of the house to the 15-foot pool setback line. The pool measures 11.5 x 21.5 feet and with the placement of 7.1 feet from the required setback of 15-feet represents a variance request of approximately 47 percent from the standard. On the other hand, the Applicants have not indicated that the pool could be reduced in size thereby reducing the degree of the variance request. Additionally, the pool equipment was originally placed adjacent to the home, thus reducing the degree of structure within the setback. It is the Applicants' request to have the equipment moved closer to the property line, as it creates noise and vibrations while in use.

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

The granting of the variance would have the most impact on the adjacent property at 74 Morwood Drive. Further the placement of the equipment and the amount of activity so close to the north property line would be closer to the neighboring property, where the existing home is approximately 20 feet from the shared property line, and the existing patio is approximately 13-feet, within a fenced area. The plans show a new retaining wall with a 4-foot-tall fence and landscaping between the pool and the adjacent property. The granting of a variance would not be expected to have an impact on the remaining properties from a visual standpoint as the pool is located behind the house and does not extend beyond the structure as viewed from Morwood Drive.

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;

It is fairly debatable as to whether a swimming pool represents a severe practical difficulty or extreme hardship given that the property has been used for the purposes of how it is zoned since the early 1960's. The question before the Board, under this criterion, is whether or not the inability to locate a swimming pool with the proposed layout represents an extreme hardship or presents severe practical difficulties.

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

Staff is not aware of any impacts that would adversely affect the public health, safety, order, convenience, or general welfare if this variance were to be granted.

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; and swimming pools are a common amenity for residential properties in the City. Staff believes that the location chosen represents the most logical location for a swimming pool in consideration of the shape of the lot and the configuration of existing improvements on the lot. By providing specific standards for swimming pool placement on a lot, the City has determined that they must be regulated beyond that of other accessory structures and uses, such as storage sheds. In many prior applications, the root of the problem is that the property does not have “room to grow” because either the lot is non-conforming in size and/or the house was built to a different standard that does not conform with current zoning requirements. Neither of these is at issue in this application.

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 whereby 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.**

As stated above, the lot and house meet the current zoning requirements and the property is located on a corner lot which is a common condition in the neighborhood and throughout the City. For this request, the corner lot condition, combined with the configuration of the existing improvements, notably the driveway and rear entry garage being located where a pool would normally be expected are creating the need for the variance. Whether or not the desire to have a pool, represents a hardship dissimilar to that of other similarly situated properties is a decision before the Board.

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

The lot was originally and appropriately graded to accommodate the house and any additional run-off would have to be mitigated on site. The City’s stormwater regulations, under Chapter 425, require on-site mitigation to capture the proposed increase in runoff. This requirement applies to replacement homes, additions, and swimming pools. The Applicants have provided a stormwater management plan that includes a stormwater facility that collects stormwater runoff- volume and encourages infiltration. This plan would be reviewed in greater detail as part of the construction permit process to ensure the effects on neighboring properties are minimized.

ACTION

Following its deliberation, the Board of Adjustment may vote to 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 front-yard setback would be:

“I move to approve a variance to allow for the pool, patio and pool equipment to be closer to the property line as proposed in the drawings for the property addressed as 3 Benwood Lane, where Section 405.460(6) requires that any swimming pool and its related structures be setback 15 feet from any lot line, because:

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 setback requirements will cause severe practical difficulty and extreme hardship for the property owner represented in the application;
5. The proposed pool at 7.1 feet, patio at 4 feet and the related equipment approximately 2 feet from the north property line 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 each 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 3 Benwood Lane based upon the testimony received and the deliberations of the Board on this application, as decided on December 17, 2020.”

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.

APPENDIX 3: AERIAL PHOTO



Attachment: 3 Benwood Ln Staff Report (3 Benwood Ln Pool Variance Request)

APPENDIX 4: SITE PHOTOGRAPHS

Taken: 12/11/2020



Description: View looking west from Morwood Lane at the existing home



Description: View looking south west the adjacent property from Benwood Lane.



Description: View from the Back of the home looking east at the area of the existing patio and retaining wall.



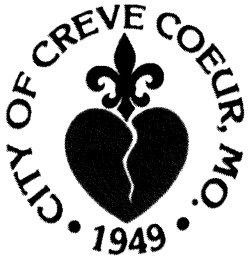
Description: Closer view from the back of the home looking east at the area of the existing patio and retaining wall.



Description: View from the side of the home looking north with the adjacent property's fence on the left.



Description: View from the front of the home looking northeast from Benwood Lane.

city
of

CREVE COEUR

File # _____

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

Applicant:	Applicant's Representative (if applicable):
<u>Name</u>	<u>Wilson Waggoner</u>
<u>Company (If Applicable)</u>	<u>Sherrill Associates, Inc.</u>
<u>Address</u>	<u>316 N Main Street</u>
<u>Address</u>	<u>Edwardsville, IL 62025</u>
<u>Address</u>	<u>Address</u>
<u>Telephone #</u>	<u>Telephone # 618.656.9251</u>
<u>Fax #</u>	<u>Fax # 618.656.9496</u>
<u>Email:</u>	<u>Email: wdw@sherrillassoc.com</u>

APPLICANT: Architect _____ Engineer _____ Contractor _____ Agent _____ Owner X

The undersigned hereby requests to be placed on the Agenda for the Board of Adjustment meeting at 4:00 P.M. on Thursday, Dec. 17, 2020.

_____ <i>Applicant's Signature</i> _____ <i>Date</i>	<i>Wilson D. Waggoner</i> _____ <i>Applicant's Representative's Signature</i> <u>12/4/2020</u> _____ <i>Date</i>
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Submittal Checklist

- Two (2) checks, \$50.00 filing fee & \$250.00 non-refundable escrow
- Four (4) sets of signed and sealed plans
 (Folded to a size no larger than 11"x14") for the improvements necessary for the proposed use
- Written Justification
- Electronic copy of all submitted documents

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

Updated 12/2020

Subject Property: 3 Benwood Lane

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 backyard pool between the house and the property line is proposed.

2. In support of my request, I offer the following:

- Unique physical characteristics of the property (creek, steep slope, lot shape, etc.):

The lot borders two streets, Benwood Lane and Morwood Lane.

Therefore, as a corner lot, it has two front yards as defined by the City's Code. Also, the back of the house is close to the back property line at 24.9 feet which limits space which can be developed.

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

Regarding access, the location of the garage on the back left corner of the house limits the amount of space that can be developed on the left (west) or back left (northwest) corner of the property.

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

With two front yards and a rear left position for the garage, the location for a pool is limited to directly behind the house.

While this is a common location for a pool, the existing structure is closer to the back property line which limits room for improvements.

- Current uses and structures on the property:

The subject property is a single family residence occupied by the property owners.

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

Because of the configuration of the lot and placement of the house on that lot, a pool cannot be configured where it meets the deck and pool offset distances from the property line, as required by code. With a variance of the required offset, the pool can be constructed as shown on the civil engineering plans.

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?

There is no known economic hardship for the existing property as a result of the problems described.

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

With the required inclusion of a stormwater facility that collects stormwater runoff volume and encourages infiltration, the effects on neighboring properties is minimized. The facility has been designed to capture the added runoff generated by the improvements. Erosion and sediment control measures will be used during construction to limit off-site disturbance. Off-site effects are not anticipated by the proposed 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?

No new or upgraded utilities or City or emergency services are anticipated. Existing utilities for the pool are already available and are sufficient.

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:

There are no traffic impacts for the proposed improvements.

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

As the pool will solely be used by the owners, no public access or accommodations are required.

9. Zoning district in which the property is located: C - Single Family Residential

10. Size of the lot (total square feet or acres): 17,430 SF (0.40 AC)

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

As residential pools are common within the Morwood Hills neighborhood as well as the City of Creve Coeur, it is requested that a variance be granted to accommodate this common amenity in the least impactful location on the existing lot. Further, stormwater runoff considerations have been addressed to meet City requirements and limit off-site effects for neighboring properties.

SURVEY INFORMATION

DES LAND SURVEYING, LLC
LS#2012000030
2612 CYNTHIA CT.
FARMINGTON, MO 63640
(636)-208-8511

SURVEY DATE: MONTH OF APRIL 2020

TOTAL AREA

17,430± S.F.
0.40± AC.

DRAWING INDEX

- C0.0 COVER SHEET
- C1.0 EXISTING SITE PLAN
- C2.0 PROPOSED SITE PLAN
- C2.1 ENLARGED SITE PLAN
- C3.0 STORM WATER CONTROL PLAN

CONSTRUCTION PLANS
FOR
3 BENWOOD LANE
CITY OF CREVE COEUR, MISSOURI

LOT 60 OF MORWOOD HILLS PLAT NO. 3
SECTION 2, TOWNSHIP 45 NORTH, RANGE 5 EAST
CITY OF CREVE COEUR, ST. LOUIS COUNTY, MISSOURI



PROJECT LOCATION LOCATION MAP (NTS)

PROJECT INFORMATION

CONTRACTOR:
WAVE SCAPES, LLC.
3249 GREEN TRAILS COURT
WENTZVILLE, MO 63385

PREPARED BY:
SHERRILL ASSOCIATES, INC.
316 N. MAIN STREET
EDWARDSVILLE, IL 62025
618-656-9251

OWNER:
JOSEPH & KIMBERLY CACCIABANDO
3 BENWOOD LN.
CREVE COEUR, MO 63141

ENGINEER:
WILSON D. WAGGONER, P.E.

SITE INFORMATION:
LOC #17N230374
3 BENWOOD LN.
CREVE COEUR, MO 63141

SURVEYOR:
SHARON E. SHERRILL, P.L.S.

SURVEY LEGEND

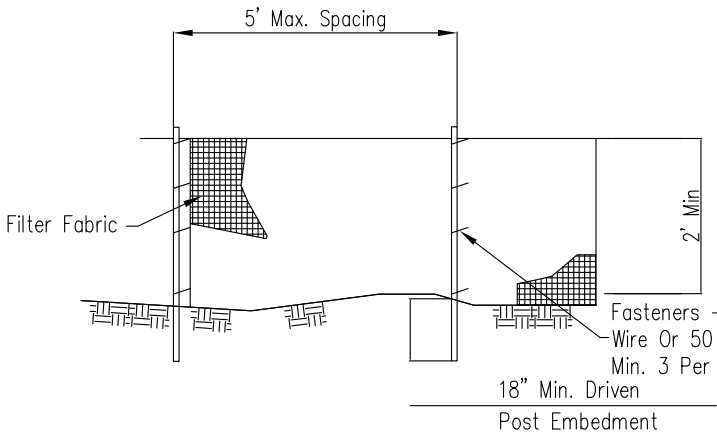
- IRON PIN FOUND
 - CONC. MON. FOUND
 - ⊞ PK NAIL FOUND
 - ⊞ CHISELED "X" FOUND
 - ▲ STONE FOUND
 - FENCE POST FOUND AND USED
- IRON PIN SET
 - CONC. MON SET
 - PK NAIL SET
 - ⊞ CHISELED "X" SET
 - ↓ ANCHOR FOUND

- EXISTING STRUCTURE
 - CONCRETE
 - ASPHALT
 - GRAVEL
 - GRASS
- [W] EX. WATER SERVICE
 - [E] EX. ELECTRIC SERVICE
 - [G] EX. GAS SERVICE
 - [T] EX. TELEPHONE SERVICE
 - [SAN] EX. SANITARY SEWER
 - [STM] EX. STORM SEWER

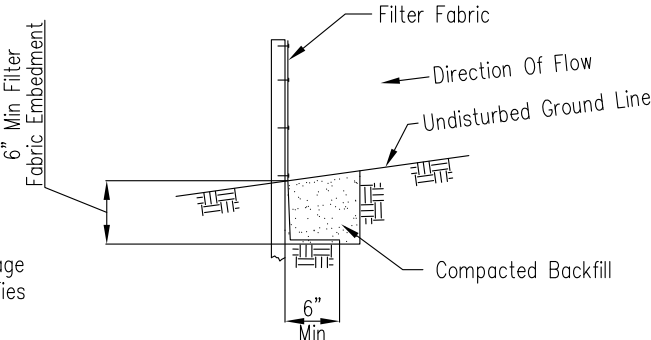
- POWER POLE
- GUY WIRE
- LIGHT STANDARD
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- GAS METER
- GRATED INLET
- MANHOLE
- SIGN
- HANDICAP
- PIPE BOLLARD
- CURB INLET
- CABLE SPLICE BOX
- TELEPHONE SPLICE BOX
- ELECTRIC SPLICE BOX
- ELECTRIC METER
- TRANSFORMER

NOTE: AN "O" DESIGNATION FOR UTILITIES DENOTES "OVERHEAD."

- ABBREVIATIONS
- | | |
|-------|-----------------------|
| CMP | CORRUGATED METAL PIPE |
| ROW | RIGHT OF WAY |
| TRANS | TRANSFORMER |
| CONC | CONCRETE |
| CL | CENTER LINE |
| PL | PROPERTY LINE |
| (TYP) | TYPICAL |
| (R) | RECORD |
| (M) | MEASURED |



SILT FENCE : ELEVATION



SILT FENCE: FABRIC ANCHOR DETAIL

SILT FENCE DETAILS

SHERRILL ASSOCIATES, INC.

Surveyors — Engineers — Planners

316 Main Street
Edwardsville, IL 62025
(618) 656-9251
FAX (618) 656-9496



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DATE	11/11/2020	

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SHEET C0.0

Illinois Design Firm #184-001238
Missouri Design Firm #001332

EXISTING SITE PLAN - 3 BENWOOD LN.
CREVE COEUR, MISSOURI

PROJECT INFORMATION

OWNER:
JOSEPH & KIMBERLY CACCIABANDO
3 BENWOOD LN.
CREVE COEUR, MO 63141

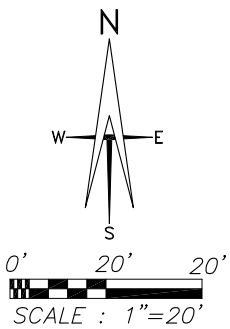
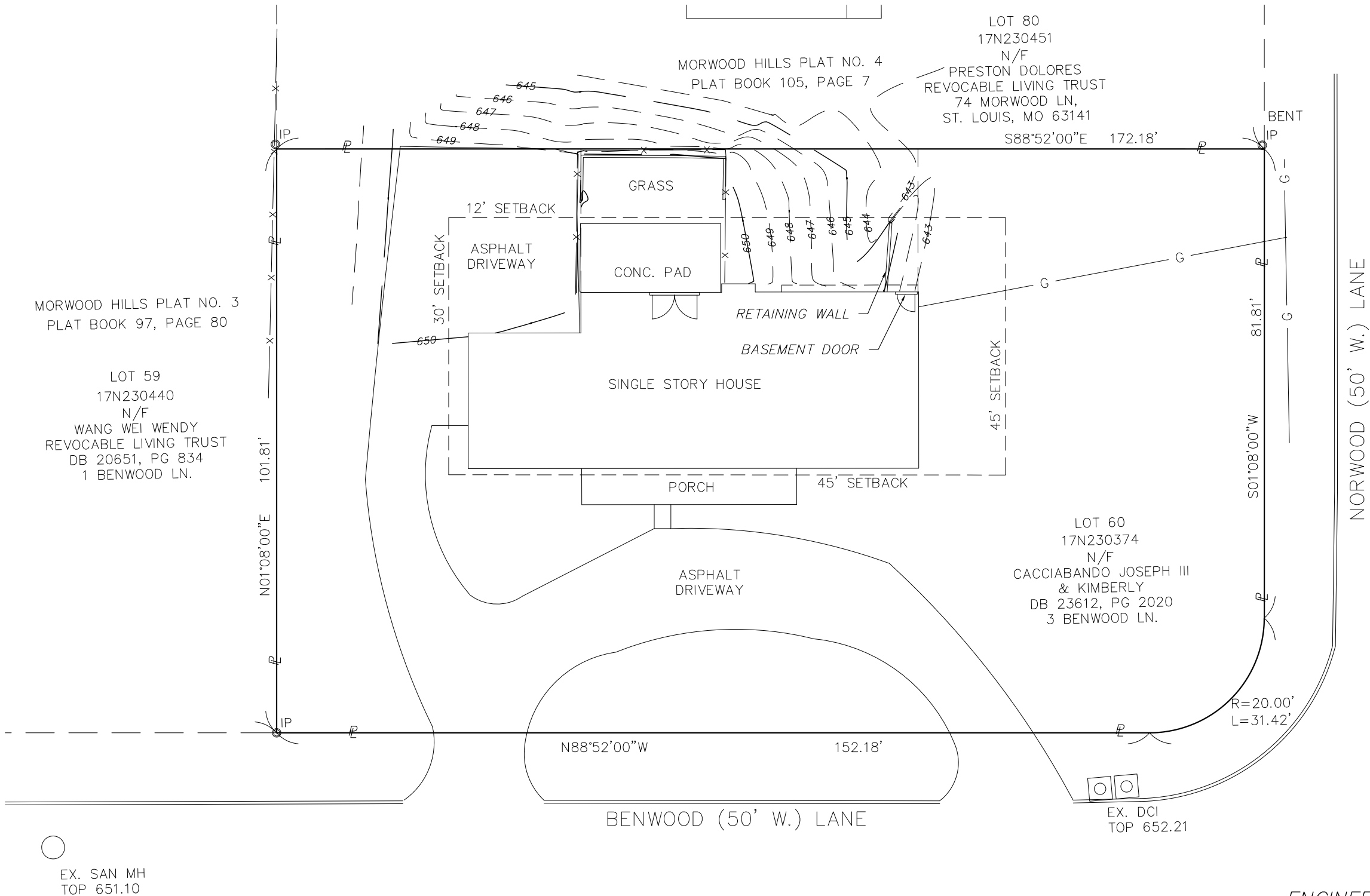
CONTRACTOR:
WAVE SCAPES, LLC.
3249 GREEN TRAILS COURT
WENTZVILLE, MO 63385

SITE INFORMATION:
LOC #17N230374
3 BENWOOD LN.
CREVE COEUR, MO 63141

PREPARED BY:
SHERRILL ASSOCIATES, INC.
316 N. MAIN STREET
EDWARDSVILLE, IL 62025
618-656-9251

ENGINEER:
WILSON D. WAGGONER, P.E.

SURVEYOR:
DES LAND SURVEYING, LLC
LS#2012000030
2612 CYNTHIA CT.
FARMINGTON, MO. 63640
CELL: (636) 208-8511
DES_LAND@YAHOO.COM



SHERRILL ASSOCIATES, INC.

Surveyors — Engineers — Planners

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Know what's below.
811 before you dig.

UNDERGROUND UTILITY NOTE

UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORDS, AND THEREFORE THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. IT IS POSSIBLE THERE MAY BE OTHERS, THE EXISTENCE OF WHICH IS NOT KNOWN OR SHOWN.

ENGINEER'S CERTIFICATE

THIS IS TO CERTIFY THAT SHERRILL ASSOCIATES, INC. AT THE REQUEST OF AND FOR THE EXCLUSIVE USE OF WAVE SCAPES, LLC HAS PREPARED THIS EXISTING SITE PLAN FROM RECORD SOURCES AND ACTUAL FIELD SURVEY DURING THE MONTH OF APRIL 2020.

Wilson D. Waggoner 11/11/20

WILSON D. WAGGONER, P.E. 2013019128
IN THE STATE OF MISSOURI
EXPIRES 12-31-2021



PROPOSED SITE PLAN - 3 BENWOOD LN.
CREVE COEUR, MISSOURI

PROJECT INFORMATION

OWNER:
JOSEPH & KIMBERLY CACCIABANDO
3 BENWOOD LN.
CREVE COEUR, MO 63141

CONTRACTOR:
WAVE SCAPES, LLC.
3249 GREEN TRAILS COURT
WENTZVILLE, MO 63385

SITE INFORMATION:
LOC #17N230374
3 BENWOOD LN.
CREVE COEUR, MO 63141

PREPARED BY:
SHERRILL ASSOCIATES, INC.
316 N. MAIN STREET
EDWARDSVILLE, IL 62025
618-656-9251

ENGINEER:
WILSON D. WAGGONER, P.E.

SURVEYOR:
DES LAND SURVEYING, LLC
LS#2012000030
2612 CYNTHIA CT.
FARMINGTON, MO. 63640
CELL: (636) 208-8511
DES_LAND@YAHOO.COM

EXISTING IMPERVIOUS AREAS	
HOUSE	2,547 SF
ASPHALT DRIVE	3,597 SF
CONCRETE PAVEMENT	294 SF
TOTAL =	6,438 SF

EXISTING PERVIOUS AREAS	
LAWN/LANDSCAPING	10,992 SF

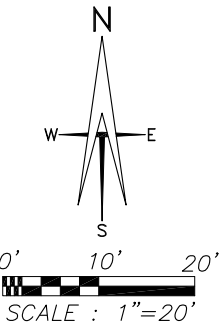
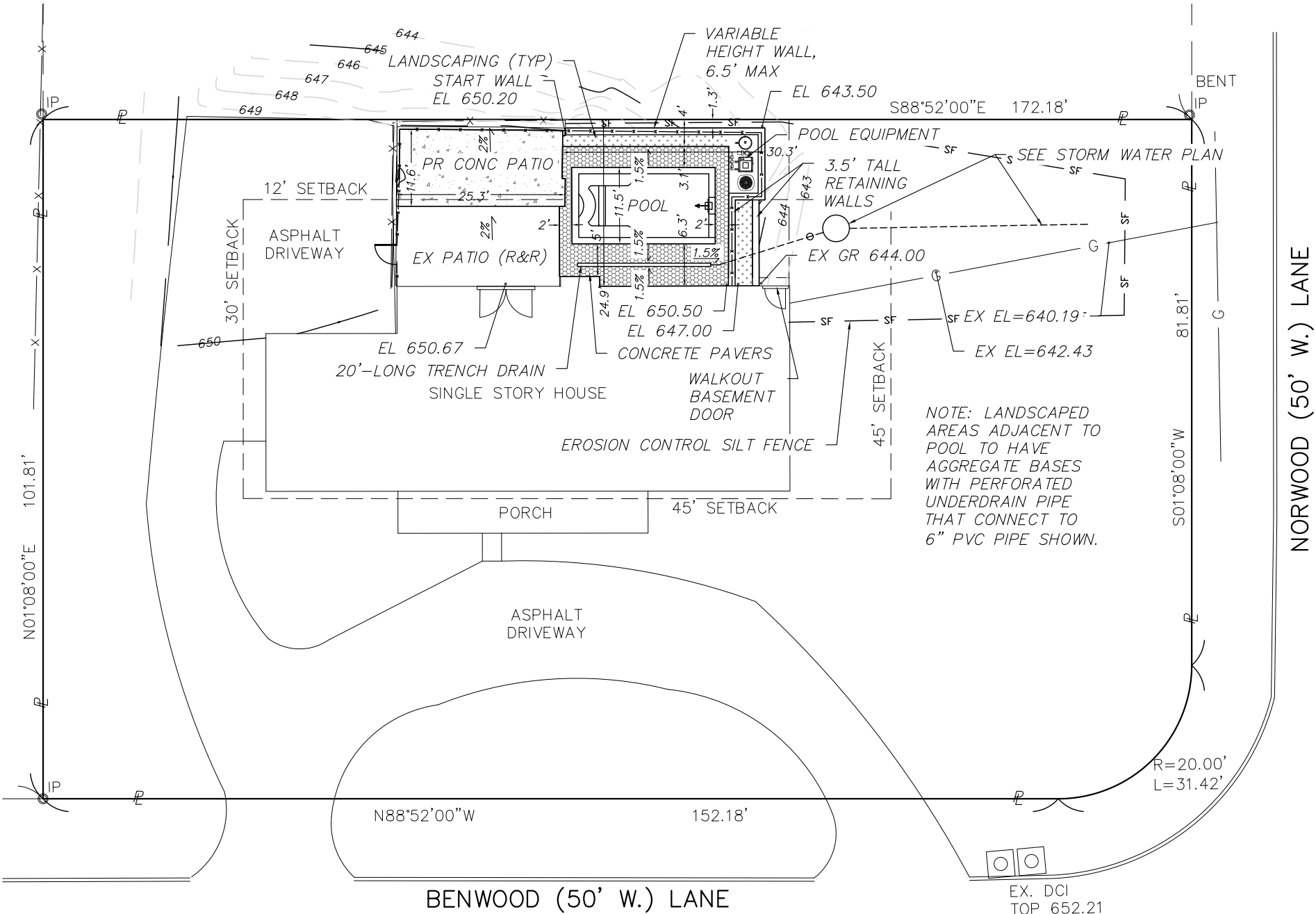
EX PERCENT IMPERVIOUS
6,438 SF / 17,430 SF = 36.9%

PROPOSED IMPERVIOUS AREAS	
HOUSE	2,547 SF
ASPHALT DRIVE	3,597 SF
CONCRETE PAVEMENT/PAVERS	728 SF
TOTAL =	6,872 SF

PROPOSED PERVIOUS AREAS	
LAWN/LANDSCAPING	10,489 SF

PR PERCENT IMPERVIOUS
6,872 SF / 17,430 SF = 39.4%
MAXIMUM IMPERVIOUS COVERAGE
EQUALS 40%, PER CODE.

NOTE: ALLOWED PER CODE
SECTION 405.120, POOL AND
DECK AREA NARROWER THAN 4'
NOT INCLUDED IN IMPERVIOUS
CALCULATIONS.



LEGEND

- PROPOSED 4"-THICK CONCRETE PATIO
- PROPOSED POOL DECK PAVERS

ENGINEER'S CERTIFICATE

THIS IS TO CERTIFY THAT SHERRILL ASSOCIATES, INC. AT THE REQUEST OF AND FOR THE EXCLUSIVE USE OF WAVE SCAPES, LLC HAS PREPARED THIS PROPOSED SITE PLAN FROM RECORD SOURCES AND ACTUAL FIELD SURVEY DURING THE MONTH OF APRIL 2020.

Wilson D. Waggoner 12/4/2020

WILSON D. WAGGONER, P.E. 2013019128
IN THE STATE OF MISSOURI
EXPIRES 12-31-2021



UNDERGROUND UTILITY NOTE



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SHERRILL ASSOCIATES, INC.

Surveyors - Engineers - Planners

316 Main Street (618) 656-9251
Edwardsville, IL 62025 FAX (618) 656-9496



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SHEET C2.0

Illinois Design Firm #184-001238
Missouri Design Firm #001332

FLOW RATE CALCULATIONS PER
ST. LOUIS MSD REQUIREMENTS
(15YR, 20MIN DESIGN STORM)

DIFFERENTIAL FLOW RATE
Q=0.04 CFS

REQUIRED MITIGATION VOLUME
V=0.04CFS X 20MINS X 60SEC/MIN
X 1.14IN/12IN/FT=4.56 CF

CONTRIBUTING FLOW RATE:
[958 SF (PAVEMENT)X3.54
+74 SF (GRASS)X1.70]/43560=0.08CFS

CONTRIBUTING VOLUME:
V=0.08CFS X 20MINS X 60SEC/MIN
X 1.14IN/12IN/FT=9.12 CF

NDS FLO WELL: 40 GALLONS / 7.48 GAL/CF
=5.35 CF
5.35 CF > 4.56 CF;
THEREFORE, 1 NDS FLO WELL IS REQUIRED.
INSTALL PER MANUFACTURER'S SPECIFICATIONS.
OUTFLOW PIPE TO DAYLIGHT.

LEGEND

- PROPOSED 4"-THICK CONCRETE PATIO
- PROPOSED POOL DECK PAVERS

DRAINAGE AREA CALCULATIONS (PRE-DEV)

DA1 (GRASS): 1.70 X 1,958 SF= 0.08 CFS
DA2 (PAVEMENT): 3.54 X 1,340 SF= 0.11 CFS
DA3 (GRASS): 1.70 X 675 SF= 0.03 CFS
DA4 (PAVEMENT): 3.54 X 2,804 SF= 0.23 CFS
DA5 (HOUSE): 4.20 X 2,271 SF= 0.22 CFS
DA6 (GRASS): 1.70 X 977 SF= 0.04 CFS
DA7 (GRASS): 1.70 X 1,032 SF= 0.04 CFS
DA8 (GRASS): 1.70 X 6,373 SF=0.25 CFS
TOTAL=0.99 CFS

DRAINAGE AREA CALCULATIONS (POST-DEV)

DA1-DA6,DA8: =0.95 CFS
DA7 (GRASS/PAVE): 1.70 X 74 SF= 0.00 CFS
3.54 X 958 SF= 0.08 CFS
TOTAL=1.03 CFS

STORM WATER CONTROL PLAN - 3 BENWOOD LN.
CREVE COEUR, MISSOURI

PROJECT INFORMATION

OWNER:
JOSEPH & KIMBERLY CACCIABANDO
3 BENWOOD LN.
CREVE COEUR, MO 63141

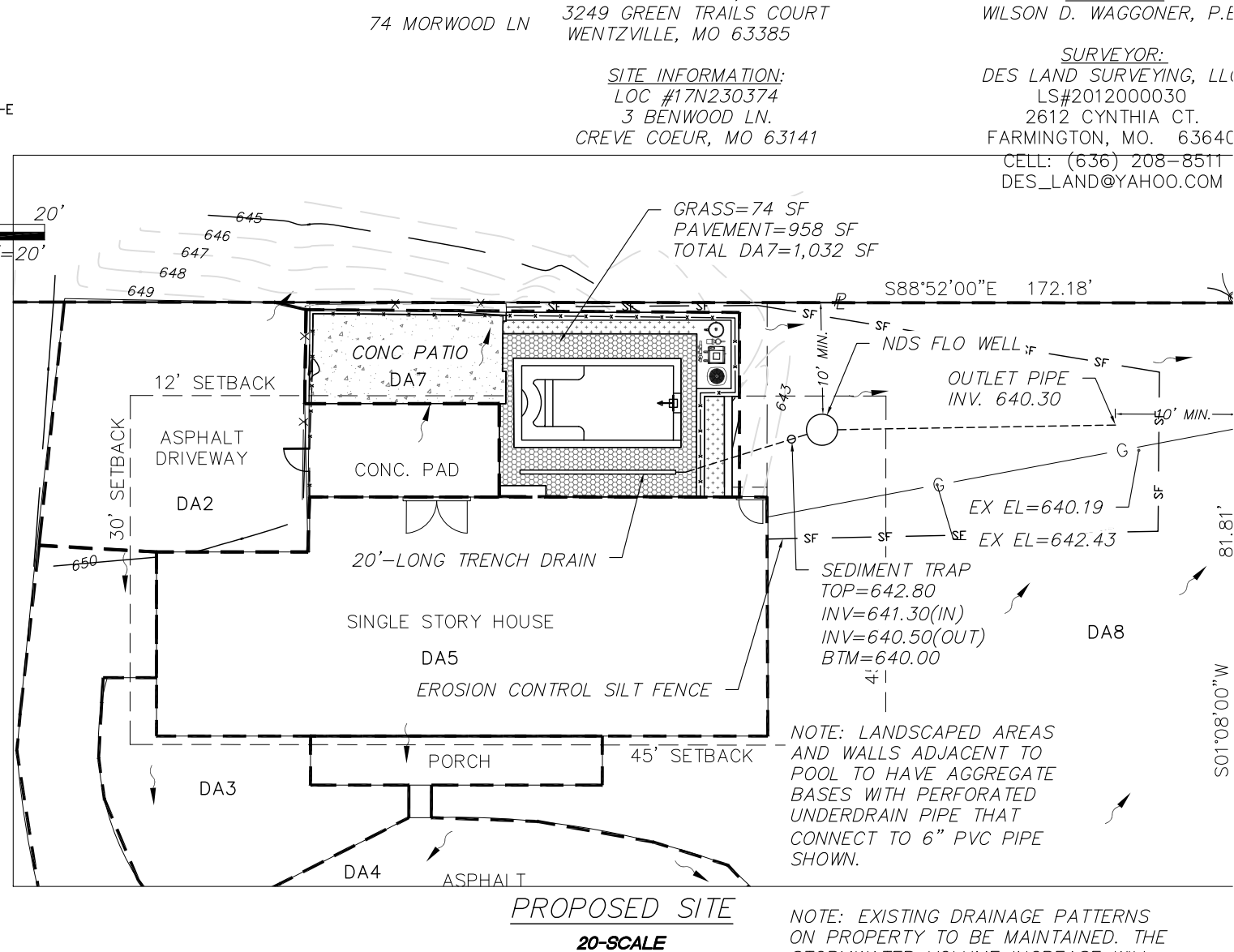
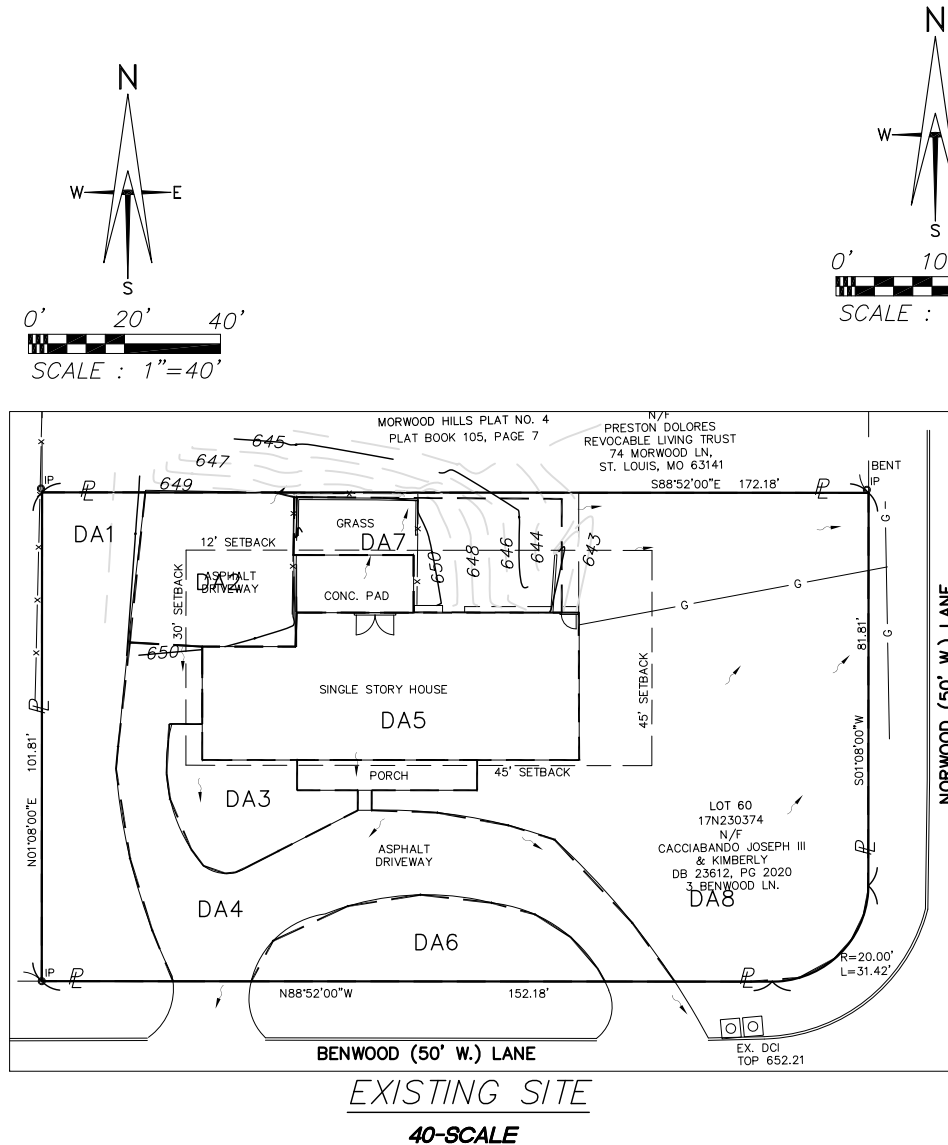
PREPARED BY:
SHERRILL ASSOCIATES, INC
316 N. MAIN STREET
EDWARDSVILLE, IL 62025
618-656-9251

CONTRACTOR:
WAVE SCAPES, LLC.
3249 GREEN TRAILS COURT
WENTZVILLE, MO 63385

ENGINEER:
WILSON D. WAGGONER, P.E.

SITE INFORMATION:
LOC #17N230374
3 BENWOOD LN.
CREVE COEUR, MO 63141

SURVEYOR:
DES LAND SURVEYING, LLC
LS#2012000030
2612 CYNTHIA CT.
FARMINGTON, MO. 6364C
CELL: (636) 208-8511
DES_LAND@YAHOO.COM



UNDERGROUND UTILITY NOTE



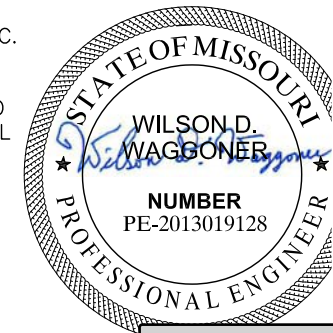
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ENGINEER'S CERTIFICATE

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Wilson D. Waggoner 11/11/20

WILSON D. WAGGONER, P.E. 2013019128
IN THE STATE OF MISSOURI
EXPIRES 12-31-2021



Attachment: MO.Creve Coeur.3 Benwood Ln.Civil Plans.12-4-20 (3 Benwood Ln Pool Variance Request)

SHERRILL ASSOCIATES, INC.

Surveyors - Engineers - Planners

316 Main Street
Edwardsville, IL 62025
(618) 656-9251
FAX (618) 656-9496



Illinois Design Firm #184-001238
Missouri Design Firm #001332

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SHEET C3.0

PRODUCT INFORMATION



The bold look and easy installation of the Hampton Stone[®] retaining wall system have made it the obvious choice for residential and light-commercial wall projects. Now, the Hampton Stone Cut[™] face style offers a more natural appearance that increases the versatility of this landscaping tradition.

Created at the request of the very contractors who rely on the rugged dependability of Hampton Stone blocks, the new Hampton Stone Cut face brings warmth and character to any landscaping project. With a richly textured look, this new face style offers all the tried-and-true features of Hampton Stone blocks. The rear-lip locator makes uniform installation and reduced labor costs possible. Coupled with the optional step and cap accessories, the expanded versatility of Hampton Stone walls means more design freedom than ever before.

- Build gravity walls up to 3 feet 6 inches high, including buried course, but excluding the cap*
- Taller walls can be built using geosynthetic reinforcement or the Anchorplex[™] retaining wall system when designed by a qualified engineer
- Minimum outside radius, measured on the top course to the front of the units: 2 feet 5 inches
- Minimum inside radius, measured on the base course to the front of the units: 4 feet

*This height assumes level backfill and clean, compacted sand or gravel and no surcharge.



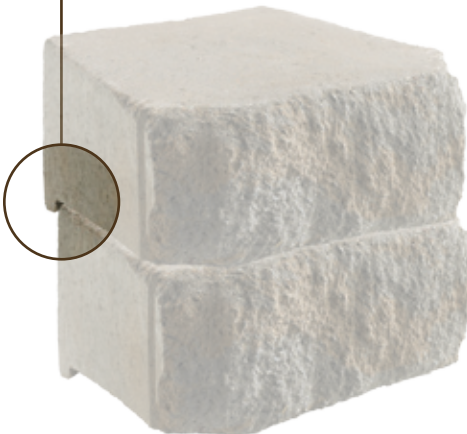
Hampton Stone Cut™

RETAINING WALL SYSTEM

PRODUCT INFORMATION



No pins. No mortar. No misalignments. Rear-lip locator, invented by Anchor, makes installation fast and accurate. Anchor – the original rear-lip product!



Visit anchorwall.com for installation instructions.



Units	Stretcher	Cap
Approximate Dimensions*	6" x 15 ⁷ / ₈ " x 10"	Front, 3" x 17 ¹ / ₄ " x 10 ³ / ₈ " Back, 3" x 12" x 10 ³ / ₈ "
Approximate Weight*	54 lbs.	34 lbs.
Coverage	0.67 sq. ft.	1.22 lin. ft.
Setback/System Batter	1 ¹ / ₈ "/10.6°	

*Product dimensions are height by face length by depth. Actual dimensions and weights may vary from these approximate values due to variations in manufacturing processes. Specifications may change without notice. See your Anchor representative for details, color options, block dimensions and additional information.

© 2011 Anchor Wall Systems, Inc. The Hampton Stone Cut™ wall system is manufactured under license from Anchor Wall Systems, Inc. (AWS). The "Anchor A" and "Anchor Build Something Beautiful" logos, "Hampton Stone" and "Hampton Stone Cut" are trademarks of AWS. The wall system blocks are covered by the AWS Limited Warranty. For a complete copy, visit your local dealer or see anchorwall.com.

Anchor Wall Systems, Inc., 5959 Baker Road, Suite 390, Minnetonka, MN 55345.
A&B0810

72.3053.1 08/11 4015



Whitney Kelly <wkelly@crevecoeurmo.gov>

Objection to variance request at 3 Benwood Lane

1 message

Eric Vanderhoef <evanderhoef@outlook.com>

Fri, Dec 4, 2020 at 8:35 AM

To: "wkelly@crevecoeurmo.gov" <wkelly@crevecoeurmo.gov>, "elawrence@crevecoeurmo.gov" <elawrence@crevecoeurmo.gov>, "ngreen@crevecoeurmo.gov" <ngreen@crevecoeurmo.gov>, Jim Vanderbeck <jvanderbeck@crevecoeurmo.gov>

To all it may concern,

Per my conversation with Whitney Kelly this morning, I have attached a memo in opposition to granting the variance request by the developer at [3 Benwood Lane](#) to accommodate a swimming pool. As a party that will be materially impacted by this change to the natural waterflow of the neighborhood, I am requesting a rejection of the request.

Please let me know if you have any questions.

Respectfully submitted,

Eric Vanderhoef
[57 Morwood Lane](#)
 314-862-6232



Variance request by 3 Benwood for a pool.pdf
 80K

Attachment: Public Comment - Objection to variance request at 3 Benwood Lane (3 Benwood Ln Pool Variance Request)

To: Whitney Kelly
Ellen Lawrence
Nichole Greer
Jim Vanderbeck

From: Eric Vanderhoef (57 Morwood Lane)

Date: December 4, 2020

Re: Variance request for #3 Benwood Lane

We received the notice today for a public hearing regarding a variance to allow for a swimming pool closer to the lot line than code allows. We are vehemently in opposition to granting this variance. The key issue is water drainage and the documented issues and hardships it causes to 57 and 55 Morwood from storm water drainage. A pool and deck closer to the lot line (that will certainly be higher than grade level) will concentrate even more runoff water towards my lot which is down a steep hill from the proposed easement.

Neighborhood description

Jim Vanderbeck, Project Manager for the city of Creve Coeur provided me some history on water flow for 53, 55, 57, 59 Morwood and 3 Benwood. When the neighborhood was first built it was designed for water flow to go down hill from 59 Morwood and #3 Benwood towards the city installed driveway drain at 53 Morwood. Since then pools have been installed at 55 and 53 Morwood. These pools are above grade which stops the natural flow of water and causes pooling to occur along the lot line of 55 and 57. Swimming pool mandated fences redirected water away from natural flows, which created the channeling of water down my lot.

57 Morwood Lane

Our house receives excessive runoff water from 59 Morwood and 3 Benwood along with pooling caused by 55 Morwood turning 3 drain spouts onto the driveway (not moving it down to the street). To combat this water flow, we have a french drain that surrounds 50% of our house, plus a contoured yard to help move the water through the yard towards the sewer drains. Inside the house we have two sump pumps to keep our basement from flooding.

In the October 2020, we addressed an issue brought to us from by Jim Vanderbeck in the Planning Department regarding a flooded basement at 55 Morwood by extending the french drain further on the east side to help with water flow away from 55.. This issue was resolved by 59 Morwood being required to fix an illegal drainage system from their house and me buying and placing 6 cubic yards of dirt to build up the ground lost to erosion. My estimate is that to make up for the erosion on the Southeast corner of my lot would require another 8-10 cubic yards to make up for what has been lost in the last six years that we owned 57 Morwood.

#3 Benwood challenges

57 Morwood touches 3 Benwood on the Southeast corner. Once can safely assume that the deck and pool will be built above the grade so not to perpetually have dirty decks and dirt getting into the pool. This will redirect water from the natural flow to the drain at 53 Morwood

to a pooling on 57 Morwood's southeast corner. With 59 Morwood at a higher elevation than 3 Benwood that would make the only place for the water to flow is into 57 Morwood's southeast corner. My systems cannot handle that much more water!

Swimming pool offers another unknown challenge. Where will the water go when the pool is drained? What if the pool leaks? If the owners hose off their decks to keep them clean, I get the runoff.

Fencing off the pool

As we all know, it is mandatory to have fences around swimming pools. It is a safe assumption that the fence will be a privacy fence and have to be significantly above the current fence level (due to the grade level of the pool). These fences have minimum heights and tend to have tightly aligned boards which with erosion will likely provide a second level of barrier to water flow towards the city installed drain at 53 Morwood.

Conclusion

We recognize Mr. and Mrs. Cacciabando's desire to develop 3 Benwood with a substantially larger house. The fact that their master plan does not work for the lot footprint should not be accommodated to create a problem for us. If a swimming pool is mandatory, then the accommodations for the pool need to be made by them in the design of their house.

Creve Coeur established zoning requirements for a reason. The Cacciabando's are developing this property for a profit, not their own home. As a party to the ramifications that this variance would cause to my property via basement water and erosion, we vehemently disagree with their variance request and strongly recommend that this variance be rejected by the city.

If there is interest, I will be happy to point out additional challenges to waterflow we have discussed and resolved with Jim Vanderbeck to date and where I would expect the challenges to occur if the variance is granted.