



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

February 18, 2021

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, February 18, 2021, 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/85120583587>. 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 1-646-876-9923 /// Webinar ID: webinar ID: 851 2058 3587.
3. **Email** — Public comment may also be emailed to the City no later than 3:00 p.m. on Thursday, February 18, 2021. 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

Glenn Wilen (Chair)
Robert Mooney
Martin Satz
DP Villacis
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. January 21, 2021 Board of Adjustment Draft Meeting Minutes

IV. NEW BUSINESS

- 1. Variance Request for the Property at 834 N. Spoede Road to Allow for the Reconstruction of the Home with Non-Conforming Setbacks to Include a Second Floor, and Addition Where the Required Front Yard Setback Along Ramblewood Lane is 45 Feet and Side Yard is 12 Feet For the C-Single Family Residential District**

Ryan Burkeen, of Xtreme Team LLC, has submitted an application to allow for a second story and building addition to the pre-existing, non-conforming home for the property addressed as 834 N. Spoede Road, zoned C Single Family Residential. The existing home was built at 40 feet from Ramblewood Lane, and a side yard at 9 feet-8 3/4 inches, where Section 405.270(E)(4) Yard and Setback requirements has a minimum 45 foot front yard, 12 foot side yard and 30 foot rear yard. The proposal includes rebuilding the home at the non-conforming setbacks, with a garage addition and second story addition at the required setback.

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

January 21, 2021

4:00 PM

City Council Chamber

I. CALL TO ORDER

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

II. ADDITIONS TO-ACCEPTANCE OF THE AGENDA

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

III. APPROVAL OF MINUTES**1. December 17, 2020 Board of Adjustment Draft Meeting Minutes**

Mr. Satz made a motion to accept the minutes. Ms. Villacis seconded. All in favor.

IV. NEW BUSINESS

1. Variance Request for the Property at 2 Chaminade Drive to Allow for a 40 Foot Building Setback Rather Than the Required 50 Foot Setback for the A Single-Family District

Ken DeBrecht, of DeBrecht Homes, has submitted an application for a variance to allow a new home to be built on the pre-existing, nonconforming lot at the platted building line of 40 feet to be consistent with the existing homes within Chaminade Park neighborhood, for the property addressed as 2 Chaminade Drive, Creve Coeur, MO 63141. Section 405.250(E)(4)(a) of the A Single Family Residential Zoning District requires a minimum front yard of 50 feet. Section 405.230(A)(1)(d) for Existing Lots of Record states that structures may be built on lots of record that have been made non-conforming by this Chapter to size, area or width; provided, however, that such structures shall conform to setbacks and other regulations not involving area or width of lot.

Those speaking to the request were sworn in.

Mr. Eric Vollmeer, civil engineer, said they were requesting a variance for the setback to be in line with the neighboring homes on the north side of street.

Note: Mr. Bob Mooney joined the meeting at 4:09pm.

Mr. Wilen asked if the neighboring homes were also at 40 feet.

Mr. Vietmeier said they were on the north side.

There was some discussion as to whether the home would meet other codes as to the driveway.

The applicant said the home would meet code requirements if the variance for setbacks was granted.

Ms. Villacis asked about water runoff.

Mr. Vollmeer said there would be a dry well to the north which should catch a large portion of the runoff.

Ms. Kelly showed some slides to provide visuals for the neighboring setbacks. She said the neighboring setbacks are at 40 ft. and the applicant is requesting the 40-ft setback to be consistent. She said new homes have to manage runoff on site. She said the site is pre-existing, non-conforming and the variance request is within the spirit of the City Code.

Ms. Mary Lott, a neighbor residing at 294 S Spoede Rd, asked for clarification about the driveway.

Mr. Vollmeer said the new driveway would run parallel to the neighboring driveway.

Mr. Cribb, a neighbor, said he has problems with the runoff currently. He said 40 ft would be better for the neighborhood aesthetic and for runoff.

Mr. Lumley offered the exhibits to the record and the public hearing was closed.

Mr. Satz made a motion to approve the variance. Ms. Villacis seconded. All in favor.

Mr. Wilen made a motion to authorize staff to prepare and the chair to execute the findings of facts and conclusions of law. Mr. Kostelc seconded. All in favor.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Martin Satz, Board Member
SECONDER:	DP Villacis, Vice-Chair
AYES:	Mooney, Satz, Wilen, Kostelc, Villacis
ABSENT:	Gada

2. Variance Request for the Property at 432 Graeser Road to Allow for a Covered Rear Yard Deck at 15 Feet Rather Than the Required 30 Foot Rear Yard Setback for the B Single Family District

Haresh and Parneeta Bhatia, homeowners of 432 Graeser Road, Creve Coeur, MO 63141, have submitted an application to allow for a new covered deck within the rear yard setback, where the existing home and lot is pre-existing, non-conforming, and was built 15 feet from the rear yard. Section 405.260(E)(4)(e) of the B Single Family Residential Zoning District requires a minimum rear yard of 30 feet. The proposed deck will maintain the existing building setback. Section 405.610.D, Nonconformities within Setback Lines, of the City of Creve Coeur Zoning Ordinance states that no such alterations to non-conforming structures are allowed.

Those speaking to the request were sworn in.

The homeowners Haresh and Parneeta Bhatia spoke to the request. Mr. Bhatia said it was a flag lot built in 1986 and flag lots are no longer allowed in Creve Coeur. He said the home sits at an angle. He said the front and rear yard are sloped. They said they were requesting a partially covered deck that would be in line with the house and not be closer to the property line than current pre-existing non-conforming setback in the rear.

Ms. Kelly said the lot is considered a flag lot. She said the requested deck would not exceed the current non-conforming pre-existing setback. She said the property is unique in that it is a flag lot and the home was built at an angle. She said any structural modification would require a variance and it is largely keeping in with the spirit of the law and comprehensive plan.

Ms. Kelly said stormwater would be reviewed by the building division.

Mr. Yong Huang said he and his wife are opposed because the deck would be close to their deck. They are concerned with privacy and runoff.

Ms. Zhang said she was concerned with the size of requested deck. She said the deck would be used for entertainment which would also cause noise issues. She stated concerns with the fireplace and smells associated with the fire.

Mr. Wilen asked when Huangs bought their home.

Ms. Huang said they bought their home in 2018.

Mr. Wilen asked for confirmation that drainage concerns would be addressed by the city in their review.

Mr. Jaggi said they have a stormwater ordinance that reviews new construction. He said he was not sure it would apply to this project.

Mr. Wilen asked about the slope of the roof.

Ms. Loggia showed the roof elevations. She said they could direct the water runoff to a dry well. She said the gas fireplace will not release fumes or smoke.

Mr. Kostelc asked if the deck would be on stilts.

Mr. Bhatia said it would be on stilts with a crawl space underneath.

There was some discussion about the tree line and the location of the fence.

Ms. Price, a neighbor, asked about the runoff as her yard is lower as well.

Mr. Wilen asked Mr. Jaggi to clarify the stormwater management plan.

Mr. Jaggi explained how the plan operated. He said new homes, swimming pools, and temporary permanent structure trigger the requirements for the plan. He said there are other requirements in place to protect neighbors for smaller projects.

Mr. Wilen asked if the homeowner could voluntarily enroll in the stormwater plan.

Mr. Jaggi said they could, but it sounded like they already had plans in place to address the runoff issues.

Mr. Bernard Goldman said he was also in opposition of the plan. He said the water builds up already there and the covered deck would cause more problems.

Ms. Villacis asked if conditions could be added to the approval.

Mr. Lumley said a condition could be added regarding the runoff.

Mr. Bhatia said he wanted to confirm their construction did not worsen the problem.

Ms. Price said she really wanted to be sure the runoff was addressed.

Mr. Huang said they were very concerned with the close proximity of the proposed deck.

Mr. Lumley offered the exhibits into the record and the public hearing was closed.

Mr. Wilen made a motion to approve the variance. Mr. Satz seconded. Ms. Villacis proposed a motion to amend that the applicant must mitigate any stormwater runoff from the project. Mr. Satz seconded. Four in favor. Mr. Mooney was against the amendment. On the amended motion for approval, four in favor, Mr. Mooney against.

Mr. Wilen made a motion to authorize staff to prepare and the chair to execute the findings of facts and conclusions of law. Mr. Kostelc seconded. Mr. Satz, Mr. Kostelc, Ms. Villacis and Mr. Wilen were in favor. Mr. Mooney was against.

RESULT:	APPROVED [4 TO 1]
MOVER:	Glenn Wilen, Chair
SECONDER:	Martin Satz, Board Member
AYES:	Satz, Wilen, Kostelc, Villacis
NAYS:	Mooney
ABSENT:	Gada

V. OTHER BUSINESS

Ms. Kelly let the Board know there would be a meeting in February.

VI. ADJOURNMENT

Mr. Mooney made a motion to adjourn. All in favor. Meeting adjourned at 5:40 pm.



**APPLICATION TO THE BOARD OF ADJUSTMENT
VARIANCE REQUEST FOR THE PROPERTY AT 834 N. SPOEDE ROAD
TO ALLOW FOR THE RECONSTRUCTION OF THE HOME WITH NON-
CONFORMING SETBACKS TO INCLUDE A SECOND FLOOR, AND
ADDITION WHERE THE REQUIRED FRONT YARD SETBACK ALONG
RAMBLEWOOD LANE IS 45 FEET AND SIDE YARD IS 12 FEET
FOR THE C-SINGLE FAMILY RESIDENTIAL DISTRICT**

FOR THE MEETING OF: Thursday, February 18, 2021

SUBJECT PROPERTY LOCATION: 834 N. Spoede Road, zoned C-Single Family Residential District

REQUEST: Ryan Burkeen, of Xtreme Team LLC, has submitted an application to allow for a second story and building addition to the pre-existing, non-conforming home for the property addressed as 834 N. Spoede Road, zoned C Single Family Residential. The existing home was built at 40 feet from Ramblewood Lane, and a side yard at 9 feet-8 3/4 inches, where Section 405.270(E)(4) Yard and Setback requirements has a minimum 45-foot front yard, 12-foot side yard and 30-foot rear yard. The proposal includes rebuilding the home at the non-conforming setbacks, with a garage addition and second story addition at the required setback.

ADDITIONAL INFORMATION: The original one-story home was built in 1954, where the 1951 Zoning Regulations for the C-Single Family District was 40 foot front yard, 10 foot side yard and 30 foot rear yard. Therefore, the existing home is pre-existing, non-conforming. The homes along N. Spoede Road have a platted building setback along N. Spoede Road at 80 feet. The existing home will be torn down, and the Applicant is seeking to rebuild the home with a second story at the pre-existing, non-conforming setback, in order to utilize the existing basement for the home. The remaining new addition will be within the current zoning district setback requirements

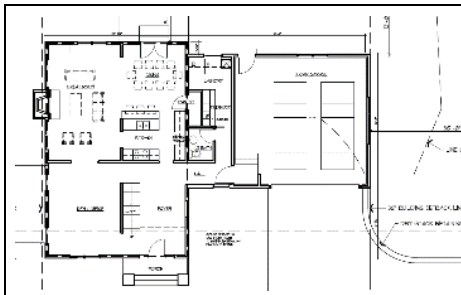
Key Issues:

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

Zoning Code References

- Section 405.230: Establishment of Size, Dimension and Access Criteria.
- Section 405.270: C Single-Family Residential
- Section 405.610: Non-Conformities
- Section 405.1040: Board of Adjustment
- Section 405.1110 Variances and Appeals

APPLICANT/ PROPERTY OWNER: Ryan Burkeen
Xtreme Team LLC
11 Pyrenees Dr.
Lake St. Louis, MO 63367



REPORT PREPARED BY: Whitney Kelly, AICP, City Planner

DATE: 2/3/2021

ATTACHMENTS: Applicant's Materials submitted January 15, 2021

The Ramblewood Subdivision was originally platted in 1954 with a private street, where the property lines extend to the center line of Ramblewood Lane, with a 25-foot Road and Utility Easement. The platted 40-foot building line is shown from the established easement area. The Applicants are seeking a variance from the front yard and side yard setbacks to allow a new home to be rebuilt at the existing 40-foot setback of the Ramblewood Lane and at the 9feet-8 ¾ inch side yard setback in order to utilize the existing basement, where the C Single-Family District, Section 405.270(E)(4)(a) has a minimum front yard setback from Ramblewood Lane of 45 feet, and Section 405.270(E)(4)(c) requires a minimum side yard of 12 feet or fifteen percent (15%) of the lot width, whichever is less. For corner lots, Section 405.630(B) states 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. Thus, the north property line is the side yard and the east property line is the rear yard.

Attachment: 834 N. Spode Rd Variance Staff Report-February 18 (834 N. Spode Rd Variance)



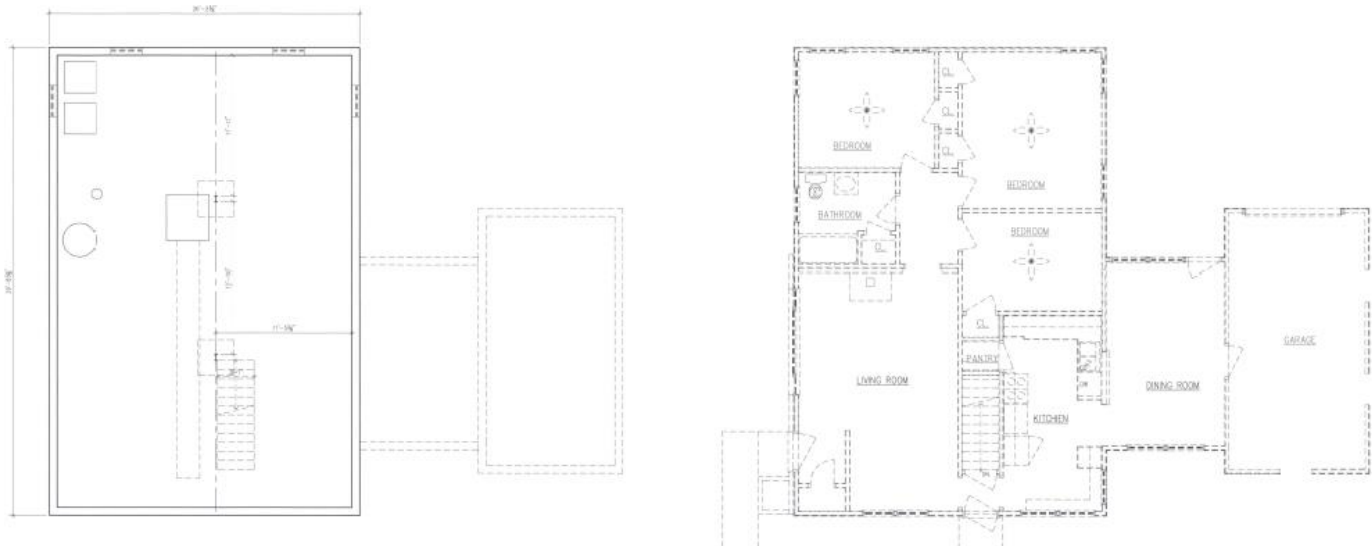


Figure 2: The Existing Home Basement and First Floor Plan

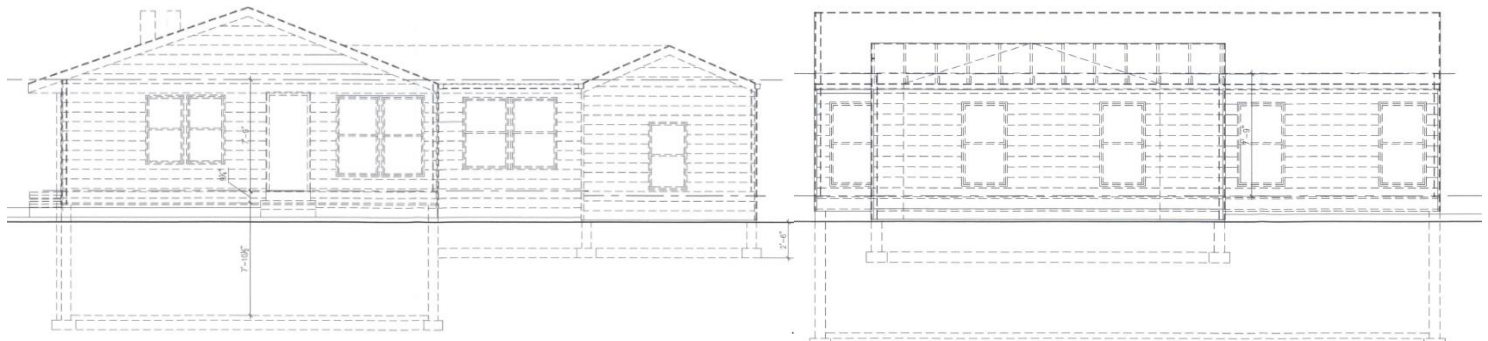


Figure 3: Existing Home South and East Elevations

The proposal includes replacing the existing one-story home, with the proposed two-story home at the 40 feet setback from the front property line, and pre-existing side yard setback, in order to utilize the existing foundation and basement area and reorienting the front of the home to Ramblewood Lane. The second story and new building addition will be stepped back to comply with the current building setback regulations.

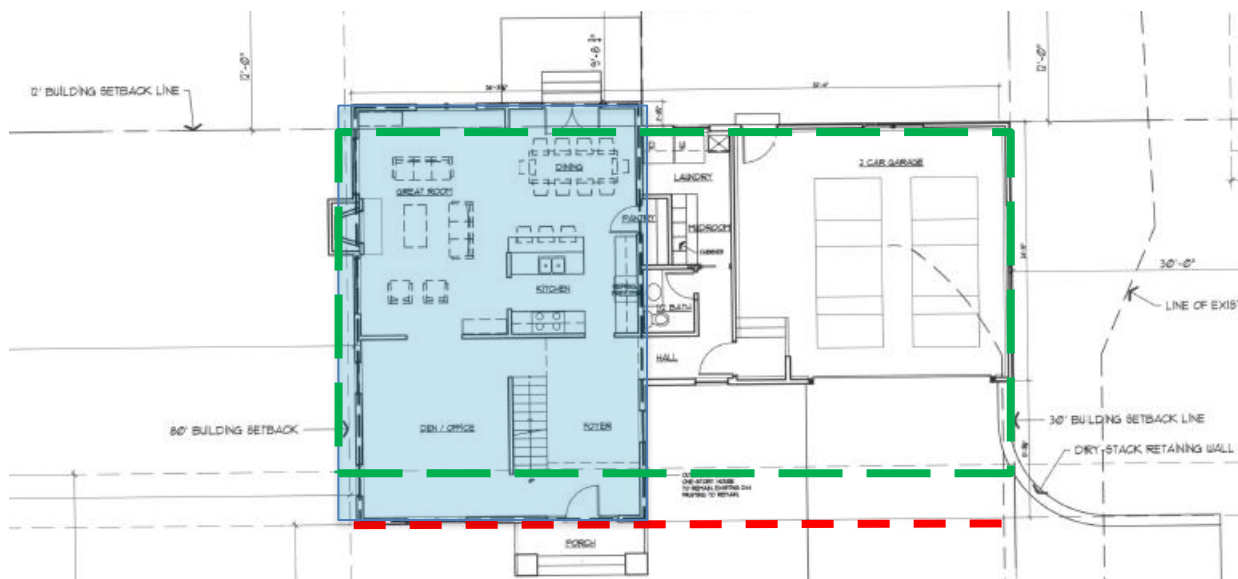


Figure 4: Close-up of the proposed site plan, red line is the existing 40-foot setback and green is the required 45-foot setback, along Ramblewood Lane, the platted building line along N. Spode, the 12-foot side yard setback, and the 30-foot rear yard setback. The Blue shaded box indicates the existing basement area and foundation that is proposed to remain, and the home rebuilt.

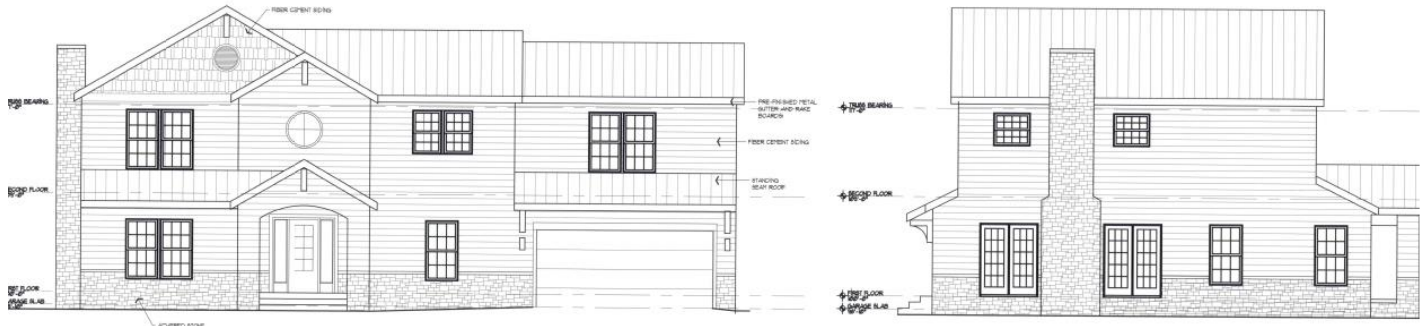


Figure 5: proposed South Elevation and East Elevations

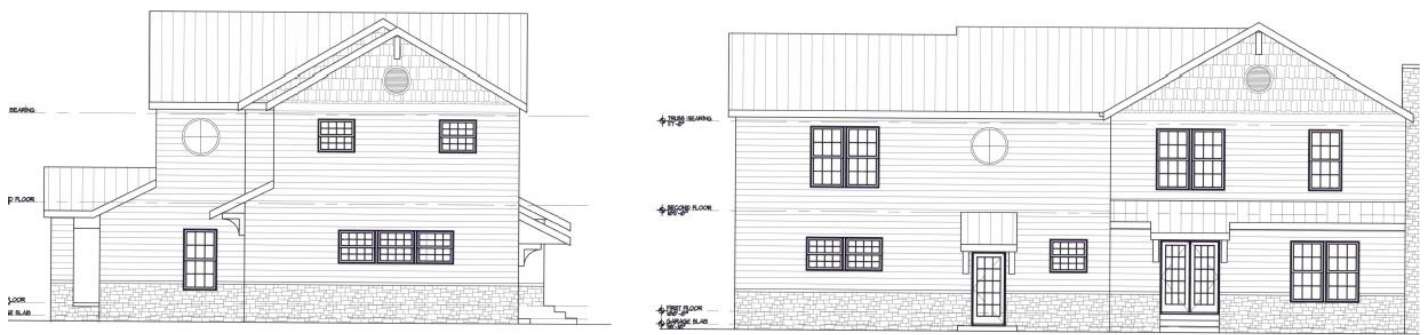


Figure 6: Proposed West and North Elevation

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	C Single Family Residential	NA
South	Residence	C Single Family Residential	Ramblewood Lane
East	Residence	C Single Family Residential	NA
West	Residence	C Single Family Residential	N. Spoede Road

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;**

This subdivision was originally developed in 1954, where the 1951 Zoning Regulations for the C-Single Family District had a front yard setback of 40 feet, with an allowance of a variation of not more than 6 feet. The side yard for the C Single Family District was to have a width of not less than 10 feet, where the house built at 9 feet-8 ¾ inches. The rear yard setback was at 30 feet. The Ramblewood Subdivision was originally platted with an 80 foot building setback from Spoede Road. As shown on the survey, the property actually goes to the center line of Ramblewood Lane, and then there is a platted 40-foot building line from the 25-foot road and utility easement. The Zoning Regulations were then modified in 1959 to increase the front yard setback for the C Single Family District to 45 feet with the 6 feet variation, and the side yard increased to 12 feet, thus, making the existing home pre-existing, non-conforming. In 1983, the Zoning Code was simplified to a front yard setback of 45 feet without a variation.

As indicated above, the pre-existing home will be torn down, with the exception of the footing and foundation. The Applicant would like to utilize the existing basement that is non-conforming within the setbacks, and rebuild the first floor in the same location, with the second floor and new additions stepped back to comply with the existing regulations. The variance requested has been minimized through these unique construction approaches to the setback requirements while also taking into consideration the large platted building line along North Spoede, which far exceeds the minimum zoning setbacks and is a unique condition compared to other properties in the C-zoning district.

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

The existing non-conforming home was originally built in 1954 prior to the current regulations, and thus the nonconformity was not created by the Applicants, although maintaining the use of the basement rather than demolishing the entire home is a choice by the Applicant. While the home will be torn down, the rebuilding of the footing and basement to comply with the regulations could be viewed as an unnecessary expense for the Applicant, where it is existing. The Applicant has worked to limit the increased degree on the non-conforming structure, by stepping back the upper floors and new garage addition to comply with the regulations.

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

Whether or not the allowance of the home to be rebuilt at the non-conforming setback represents an adverse impact upon adjacent property owners or residents is fairly debatable. Placing the home at the platted 40-foot line would not appear to adversely affect adjacent property owners as it is maintaining the existing home setback, with the upper floor and addition further setback to comply with the existing regulations.

- 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. There are some practical difficulties with the limitations of this property given its location, the platted setback along N. Spoede Road, and the grade changes, as well as the cost to rebuild the existing basement and foundation, that do not conform to the district in which it is zoned. As stated previously, the Applicant seeks to only rebuilding that portion of the building as was previously non-conforming, in the effort to utilize the existing basement as is.

- 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 for size and/or the house was built to a standard that does not conform with City’s current zoning. While the lot is conforming in size, the home was built to a standard that does not conform to the City’s current regulations, and the platted building line of 80 feet along N. Spoele Road further restricts the development of the lot, along with maintaining the existing non-conforming basement and foundation. With the exception of maintaining the use of the existing basement and footprint of the existing home, for the first floor living areas, no additional variance requests are being made that might suggest an overbuilding of the site which would not be within the spirit of the zoning ordinance. The upper floor and new garage addition are proposed to be in compliance with the regulations.

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.**

The pre-existing basement and foundation were built with the existing home in 1954, prior to the current C Single Family District regulations, and having to fill in and rebuild the existing basement may be viewed as a hardship that is dissimilar to that of other similarly situated properties.

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. The City’s stormwater regulations, under Chapter 425, require on-site mitigation to capture any increase in runoff. The permitting process requires the submittal of stormwater management plan to 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 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 rebuilding of the home at the existing 40 foot front yard setback, and 9feet-8 ¾ inch side yard setback, with the second floor and addition within the required setback as proposed for the meeting of February 18, 2021 for the property addressed as 834 N. Spoele Road, where the required front yard setback in the C Single-family Residential District is 45 feet, and the side yard setback of 12 feet 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 front-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.

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 834 N. Spoede Road based upon the testimony received and the deliberations of the Board on this application, as decided on February 18, 2021.”

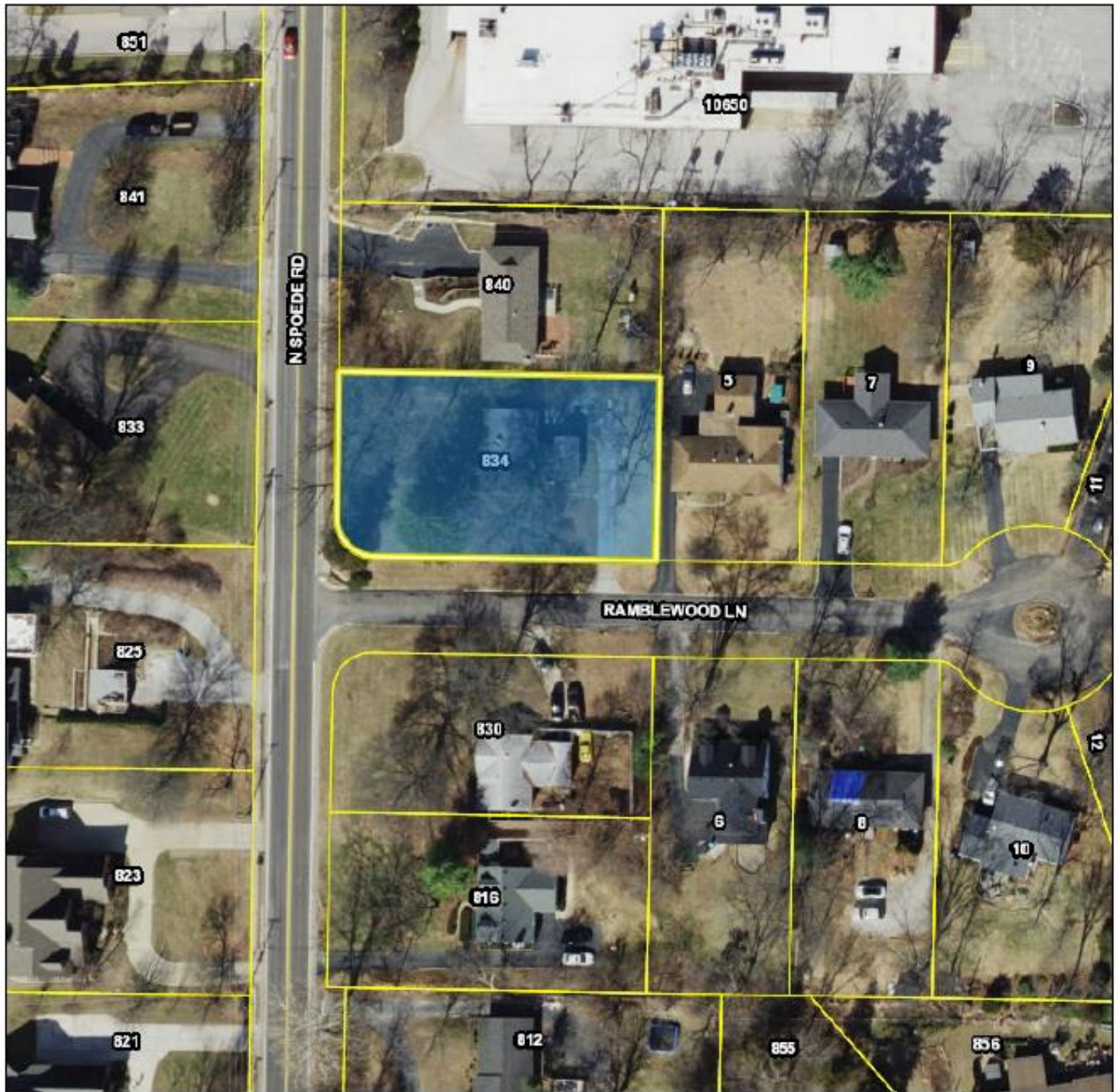
APPENDIX 1: COMPREHENSIVE PLAN

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



City Limits

Parcels

January 25, 2021



Prepared By

HORNER SHIFFRIN

Attachment: 834 N. Spode Rd Variance Staff Report-February 18 (834 N. Spode Rd Variance)

APPENDIX 4: SITE PHOTOGRAPHS

Photo Dates: 02/8/2021



Description: View of the existing home from Ramblewood Lane.



Description: View looking west at the existing home and site along Ramblewood Lane.



Description: View of the existing home side yard and the property to the north.



city
of

CREVE COEUR

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

4.1.b

File # _____

BOARD OF ADJUSTMENT APPLICATION NON-USE VARIANCE

<i>Applicant:</i>	<i>Applicant's Representative (if applicable):</i>
<i>Name</i> _____	<i>Name</i> _____
<i>Company (If Applicable)</i> _____	<i>Company (If Applicable)</i> _____
<i>Address</i> _____	<i>Address</i> _____
<i>Address</i> _____	<i>Address</i> _____
<i>Telephone #</i> _____	<i>Telephone #</i> _____
<i>Fax #</i> _____	<i>Fax #</i> _____
<i>Email:</i> _____	<i>Email:</i> _____

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

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

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

Attachment: BOA Application NonUse Variance_Draft (834 N. Spode Rd Variance)

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 2-story, 4-bedroom house with attached 2-car garage. See building plans.

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

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

The existing lot is fairly large, however, existing building setback lines constrict the buildable area to the rear corner of the lot.

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

The existing property conformed to the platted subdivision setback requirements when originally constructed. Current Creve Coeur setbacks are more restrictive on the north and south side, however the proposed addition and new construction meets the current restrictions.

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

No.

- Current uses and structures on the property:

The existing house is one story with an attached garage in poor condition. The existing foundations required remedial work at considerable expense (approximately \$15,000) already incurred by the current owner.

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

The existing house was built to the platted setback lines of 40' from Rumblewood and 9' for the rear yard. Current setback are 45' from Rumblewood and 12' at the rear yard. Meeting the current setbacks would require demolition of the entire house, basement and foundations. The current owner has already invested \$15,000 to improve the existing foundations which could not be recouped. The proposed additions meet the current setback requirements by stepping the structure back to those lines. The foundations and lower level of the existing house are "grandfathered" to remain in their current location as originally approved.

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 value of existing house with the proposed additions and renovations will have significant impact on the value of the property. As previously noted, the current owner has already invested substantially in the property and is committed to improving the property.

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

The revisions will not effect neighboring properties. The neighboring property elevations are higher than the subject property such that run-off flows on to 834 N. Spoede from the west and north. No impact on neighboring properties in anticipated.

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:

No additional traffic will be created as the property use remains single-family residence.

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

No additional street access is required. The existing curb cut will be widened to accommodate a second drive lane consistent with the two-car garage. No additional parking is required.

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

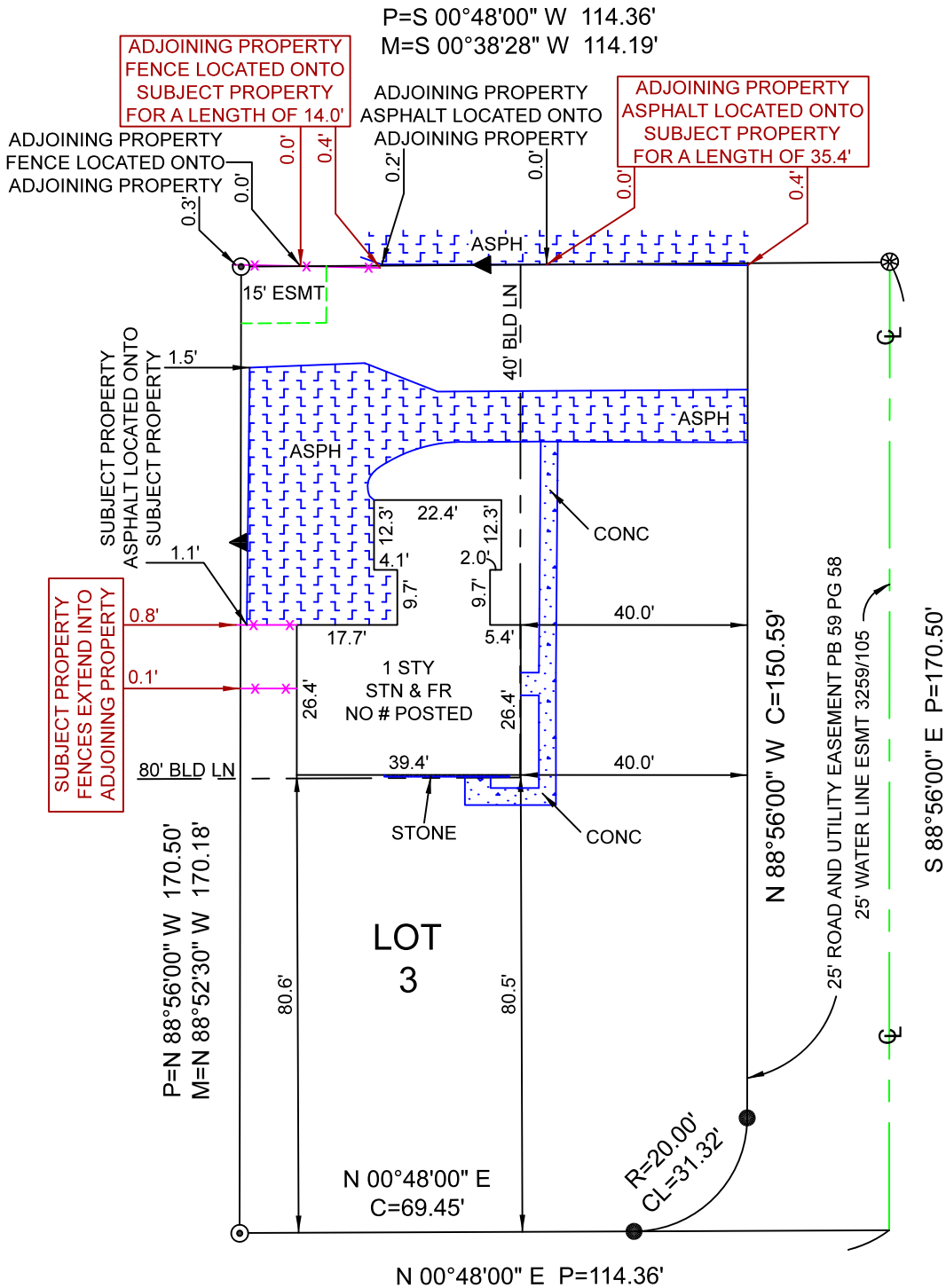
10. Size of the lot (total square feet or acres): 15,103 SF

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

BOUNDARY SURVEY
LOT 3 OF RAMBLEWOOD
PB 59 PG 8, ST LOUIS COUNTY, MO

- *— FENCE
- C CALCULATED DISTANCE
- CL CALCULATED LENGTH
- P PLATTED DISTANCE
- M MEASURED DISTANCE
- SET REBAR
- ▲ SET POINT ON LINE
- ⊙ FOUND IRON PIPE
- ⊗ FOUND COTTON SPINDLE

1" = 30'



#834 N SPOEDE ROAD (VARIABLE WIDTH)

RAMBLEWOOD LANE 50'W
ROAD AND UTILITY EASEMENT

SHEET 1 OF 2



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

JOB #2009182
FB 584:33

FIELD WORK BY: TAO
DRAWN BY: BSR/AEC

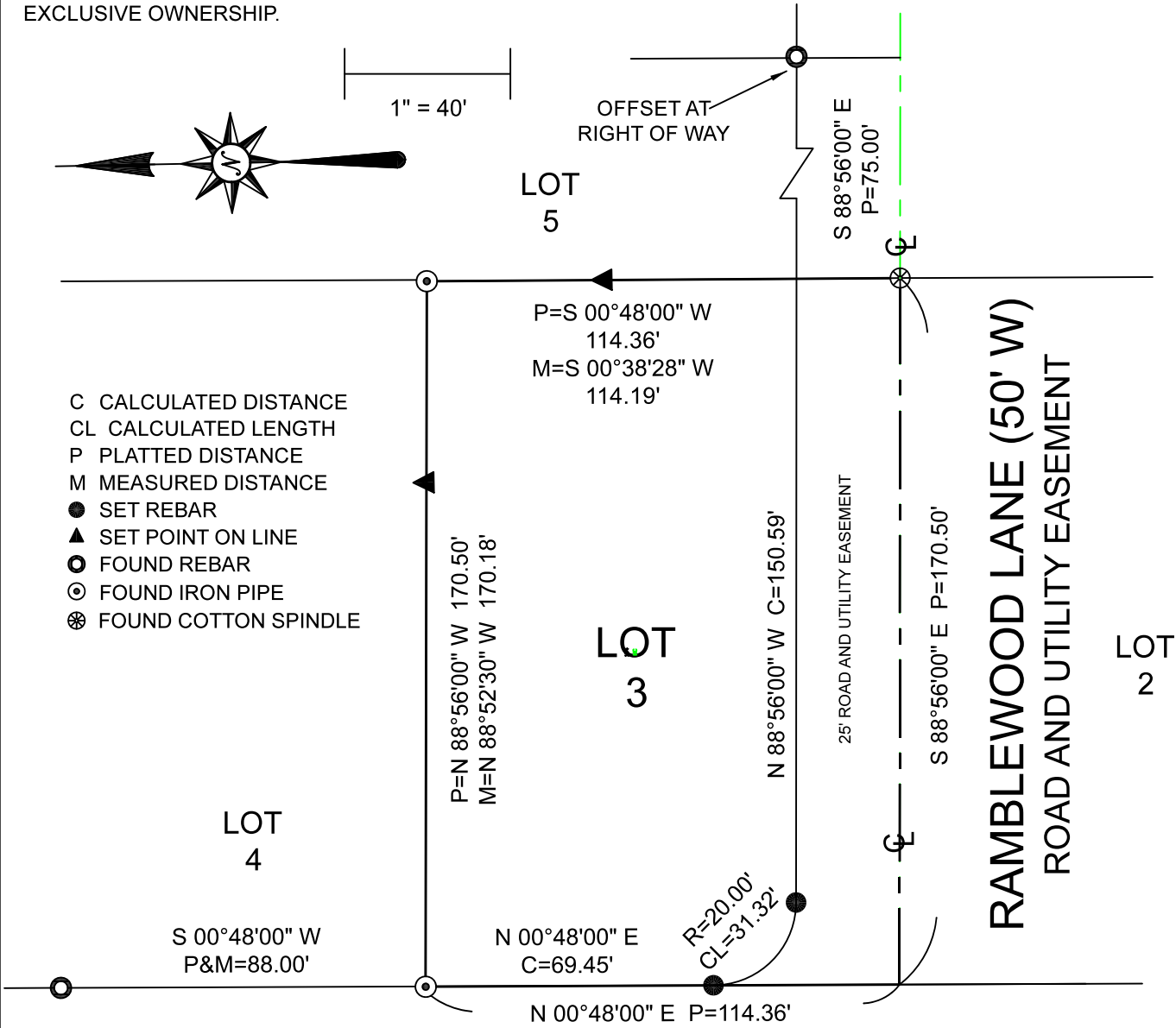
REVIEWED BY:
WILLIAM JACOB CLARK
LS# 2002014101

THIS IS TO CERTIFY THAT ON
SEPTEMBER 15, 2020 A REQUEST
BY FREEDOM TITLE COMPANY
WAS MADE FOR A BOUNDARY
SURVEY AND TO LOCATE THE
IMPROVEMENTS ON THE ABOVE
NAMED TRACT AND THAT THE
RESULTS ARE, TO THE BEST OF
MY KNOWLEDGE, CORRECTLY
REPRESENTED HEREON.



BOUNDARY SURVEY
LOT 3 OF RAMBLEWOOD
PB 59 PG 8, ST LOUIS COUNTY, MO

- SURVEYORS NOTES:
- 1. BASIS OF BEARING PER RECORD PLAT OF RAMBLEWOOD PER PLAT BOOK 59 PAGE 58 OF THE ST LOUIS COUNTY RECORDS.
 - 2. BUILDING LINES SHOWN ON THIS DRAWING ARE THOSE THAT ARE SHOWN GRAPHICALLY ON THE RECORD PLAT. SETBACK AND SIDEYARD REQUIREMENTS MAY EXIST ACCORDING TO CURRENT ORDINANCE AND ZONING STANDARDS AND ARE NOT SHOWN ON THIS DRAWING.
 - 3. NO RESEARCH PERTAINING TO EASEMENTS WAS COMPLETED BY CARDINAL SURVEYING & MAPPING AND THE PROPERTY MAY BE SUBJECT TO ADDITIONAL EASEMENTS. ITEMS LOCATED INTO EASEMENT AREAS MAY OR MAY NOT BE AT RISK. SEEK LEGAL ADVISE IF YOU HAVE QUESTIONS. THE EASEMENTS SHOWN ON THIS DRAWING ARE THOSE THAT ARE SHOWN GRAPHICALLY ON THE RECORD PLAT AND THOSE LISTED PER FREEDOM TITLE COMPANY COMMITMENT #20LT08540A BEING 3255/634 DOES NOT APPEAR TO AFFECT SUBJECT PROPERTY & 3259/105 IS PLOTTED AND NOTED HEREON.
 - 4. SURVEY COMPLETED TO URBAN PROPERTY BOUNDARY ACCURACY STANDARDS PER 20 CSR 2030-16.010 OF THE MISSOURI STATE STATUTES AND ACCURATELY REFLECTS ALL VISIBLE IMPROVEMENTS, INCLUDING FENCES, RECORDED EASEMENTS PER ABOVE REFERENCED TITLE COMMITMENT, AND EVIDENCE OF VISIBLE EASEMENTS LOCATED AT THE TIME OF SURVEY. AN ALTA WAS NOT PERFORMED AND UTILITY LOCATION HAS NOT BEEN DETERMINED.
 - 5. OWNERSHIP OF THE IMPROVEMENTS AS SHOWN ON THIS DRAWING ARE THE OPINION OF THE SURVEYOR AT THE TIME THE SURVEY WAS EXECUTED AND HAS NOT BEEN VERIFIED TO ANY EXTENT, NOR IMPLIES ANY EXCLUSIVE OWNERSHIP.



#834 N SPOEDE ROAD (VARIABLE WIDTH)

SHEET 2 OF 2



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

JOB #2009182
FB 584:33

FIELD WORK BY: TAO

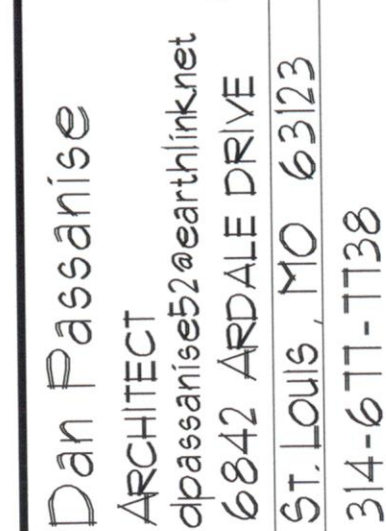
DRAWN BY: BSR/AEC

REVIEWED BY:
WILLIAM JACOB CLARK
LS# 2002014101

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SURVEY AND TO LOCATE THE
IMPROVEMENTS ON THE ABOVE
NAMED TRACT AND THAT THE
RESULTS ARE, TO THE BEST OF
MY KNOWLEDGE, CORRECTLY
REPRESENTED HEREON.



Attachment: survey (834 N. Spoele Rd Variance)

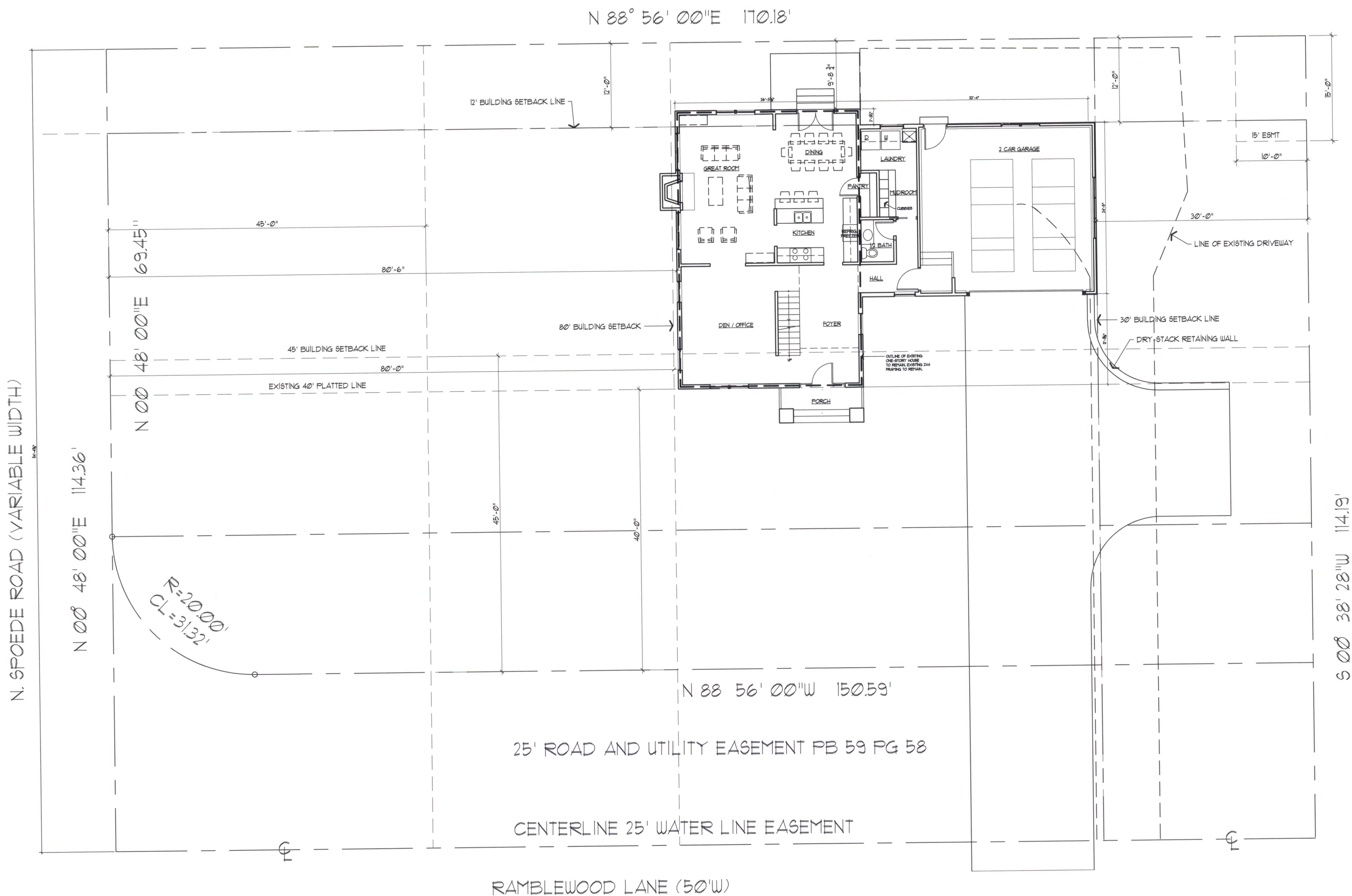


ADDITIONS AND RENOVATIONS
AT
834 N. SPOEDE ROAD
ST. LOUIS, MO 63141

PRELIM. DATE:	REVISED:
11/7/00	01/14/21
ISSUE DATE:	
CONTR. DATE:	
00/00/00	
DRAWN BY:	

SHEET

$$\triangle =$$



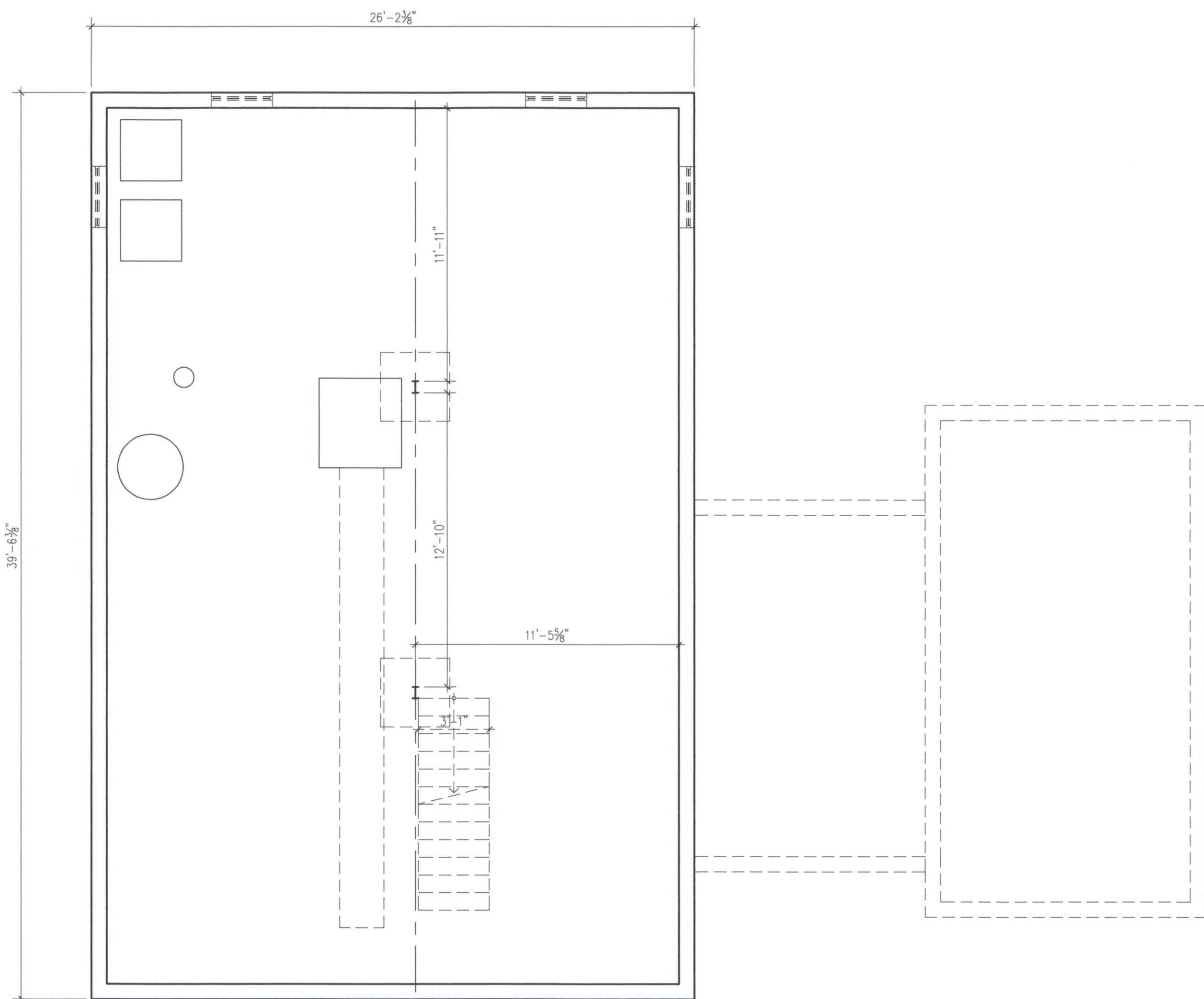
NORTH

NORTH

PROPOSED HOUSE

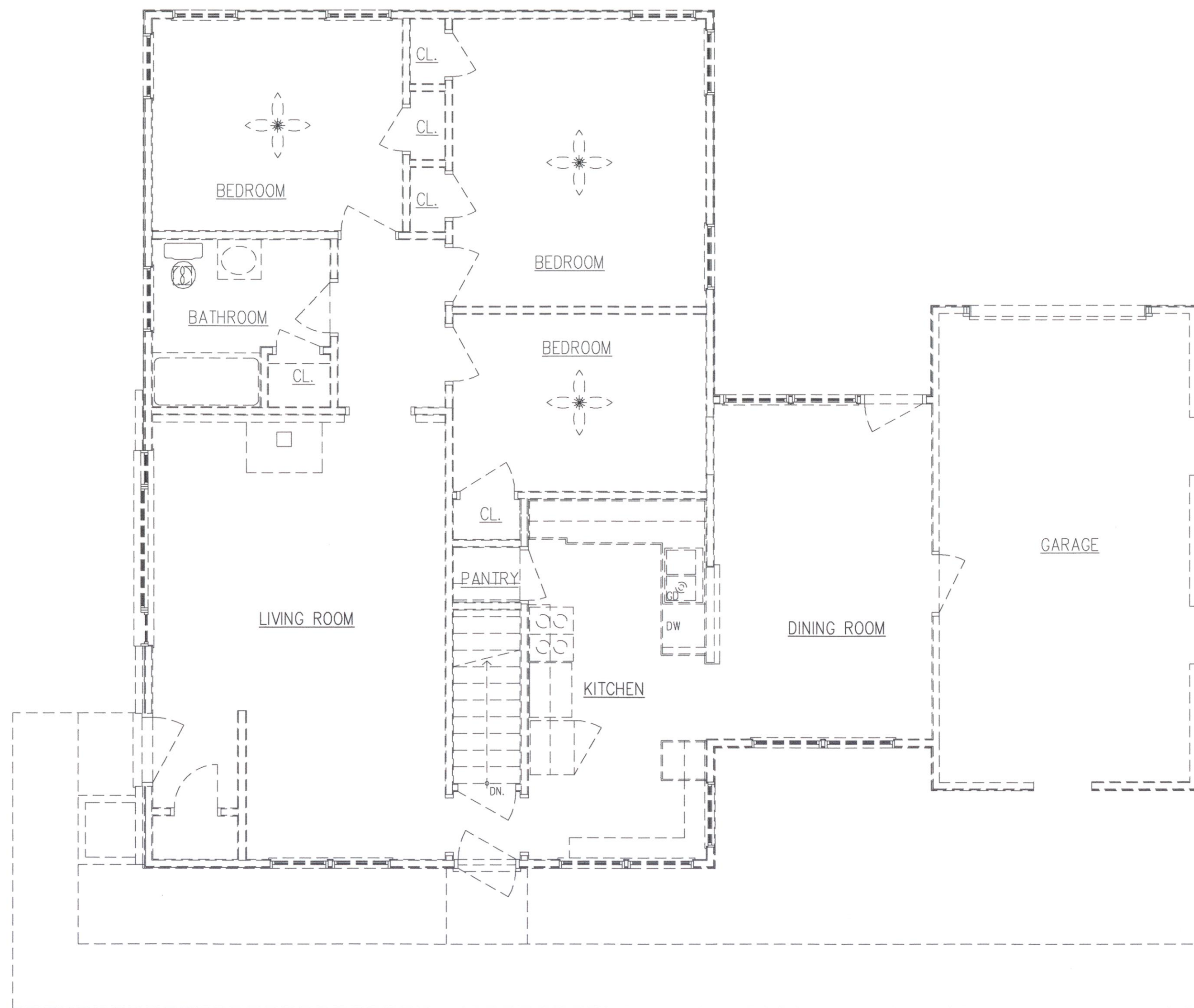
PLOT PLAN

SCALE : 1/8" = 1'-0"



EXIST. BASEMENT PLAN

SCALE : 1/4" = 1'-0"



EXIST. FIRST FLOOR PLAN

SCALE : 1/4" = 1'-0"

EXP. DATE: 12/31/21

DATE: 1/15/21

Dan Passanise
ARCHITECT
dpassanise52@earthlink.net
6842 ARDALE DRIVE
ST. LOUIS, MO 63123
314-677-7738

ADDITIONS AND RENOVATIONS
AT
834 N. SPOEDE ROAD
ST. LOUI, MO 63141

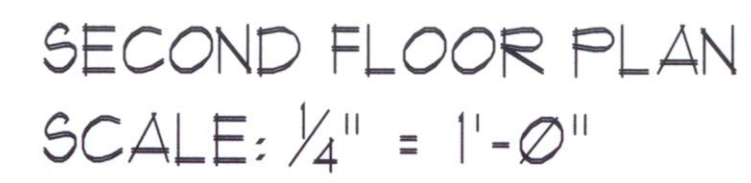
EXIST. BASEMENT PLAN
EXIST. FIRST FLOOR PLAN

PRELIM. DATE:	REVISIONS:
8/16/20	
ISSUE DATE:	
CONTR. DATE:	
8/16/20	
DRAWN BY:	
D.J.P.	

SHEET

A-2

2 OF X

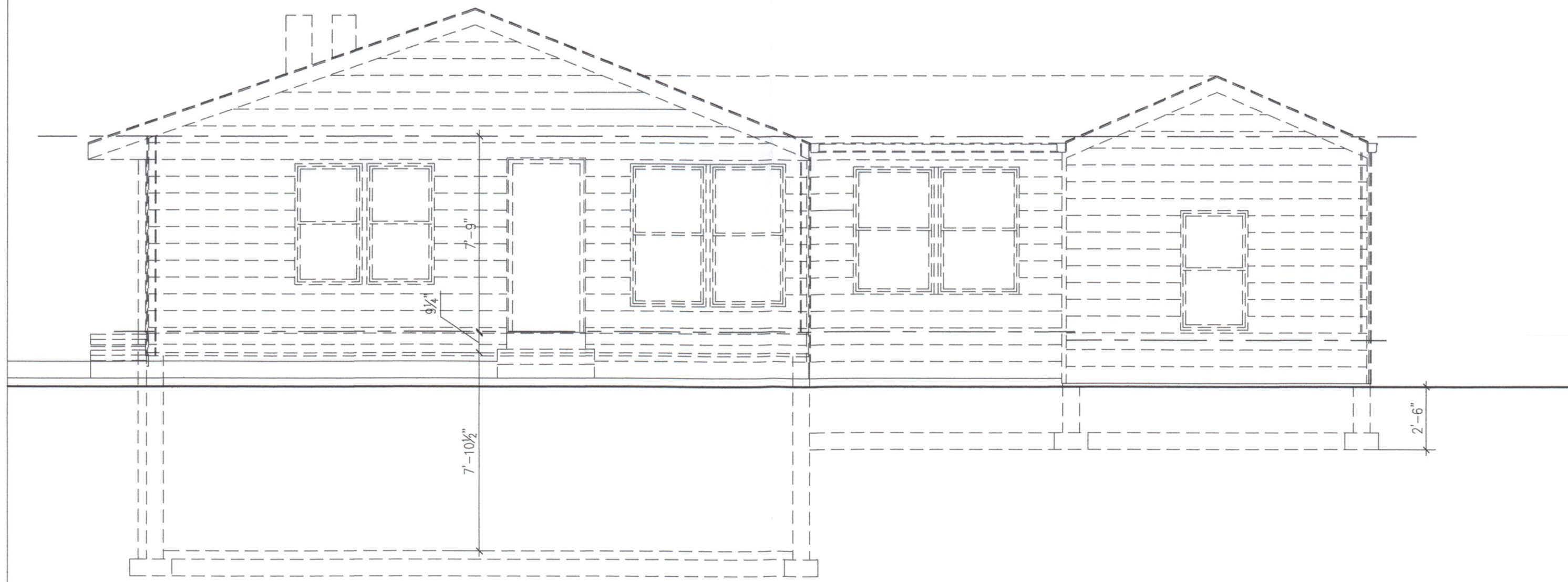


ADDITIONS AND RENOVATIONS
AT
834 N. SPOEDE ROAD
ST. LOUIS, MO 63141

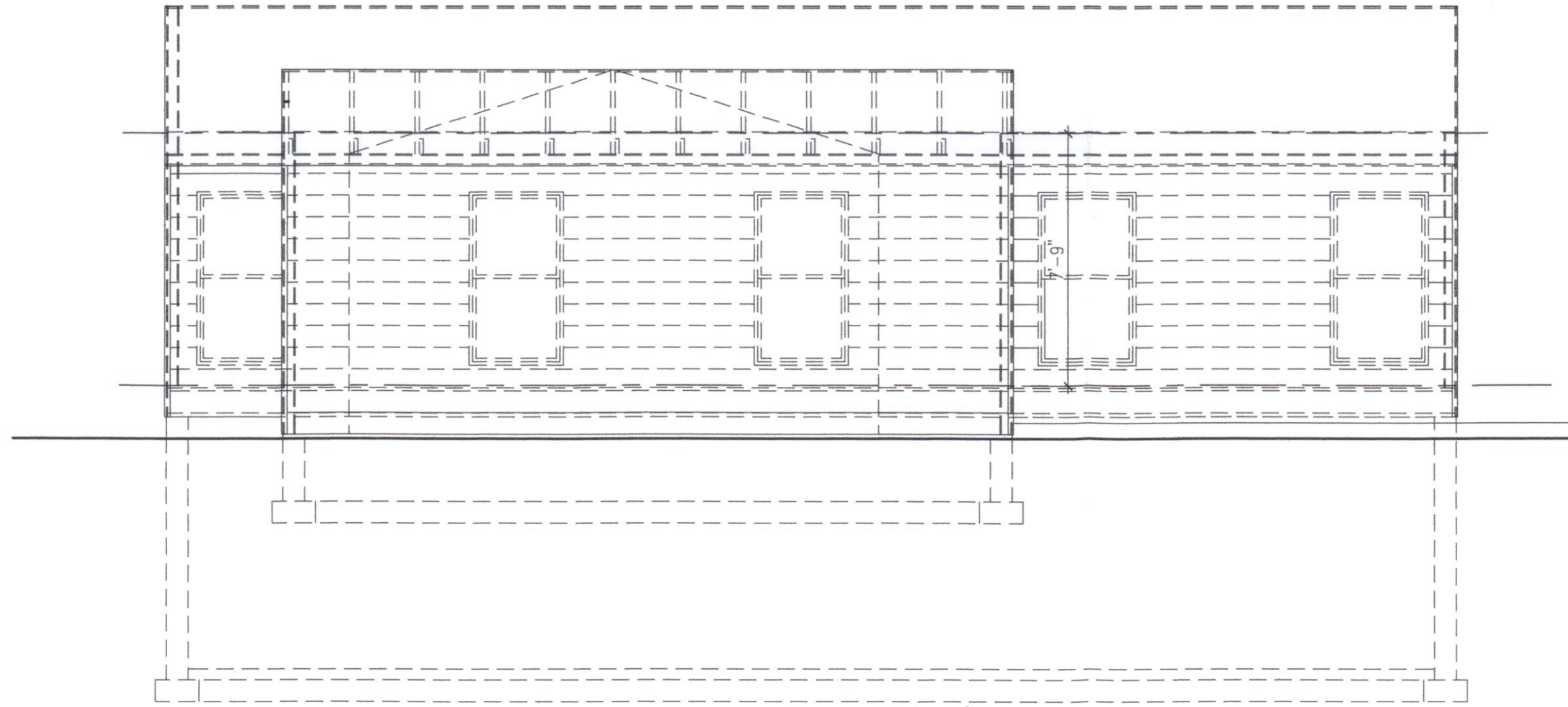
PRELIM. DATE:	11/17/20	REVISIONS:	0/14/21
ISSUE DATE:			
CONTR. DATE:	00/00/00		
DRAWN BY:			
D.J.P.			

SHEET

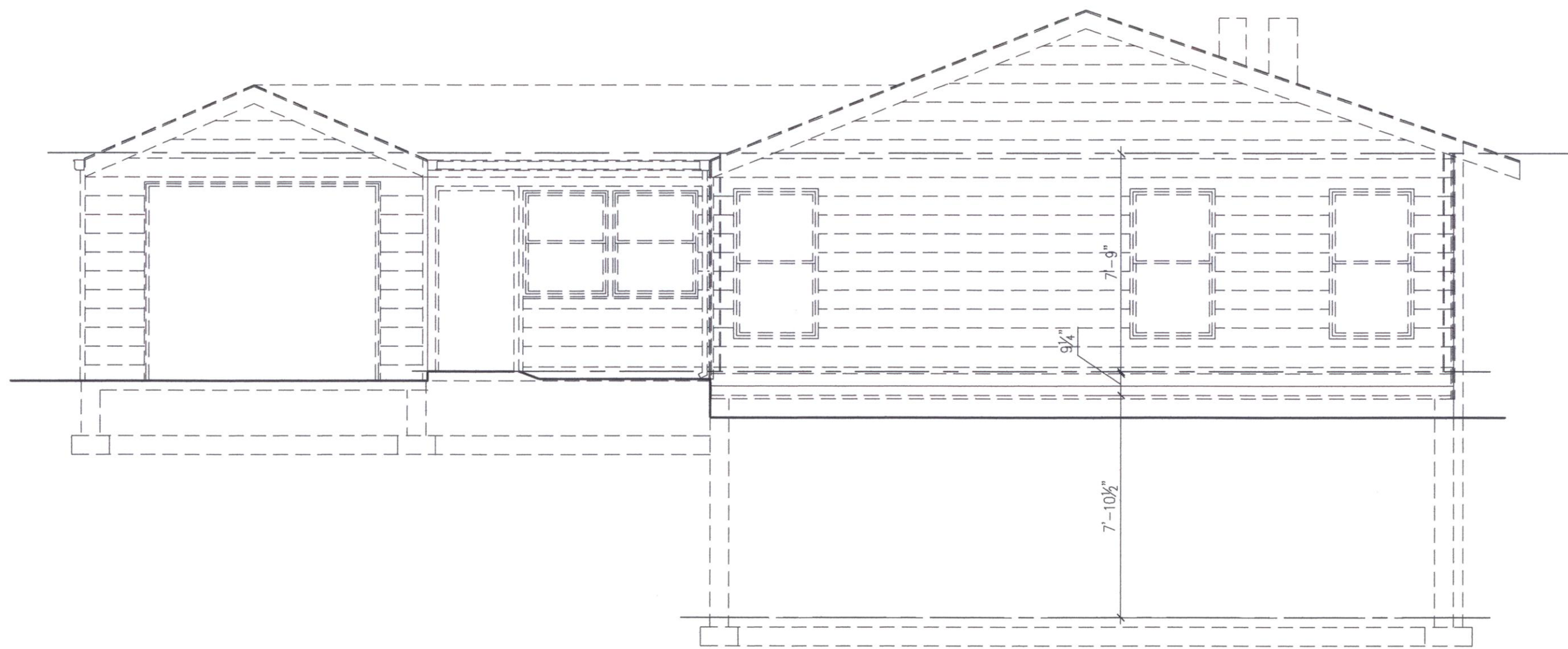
A = 2



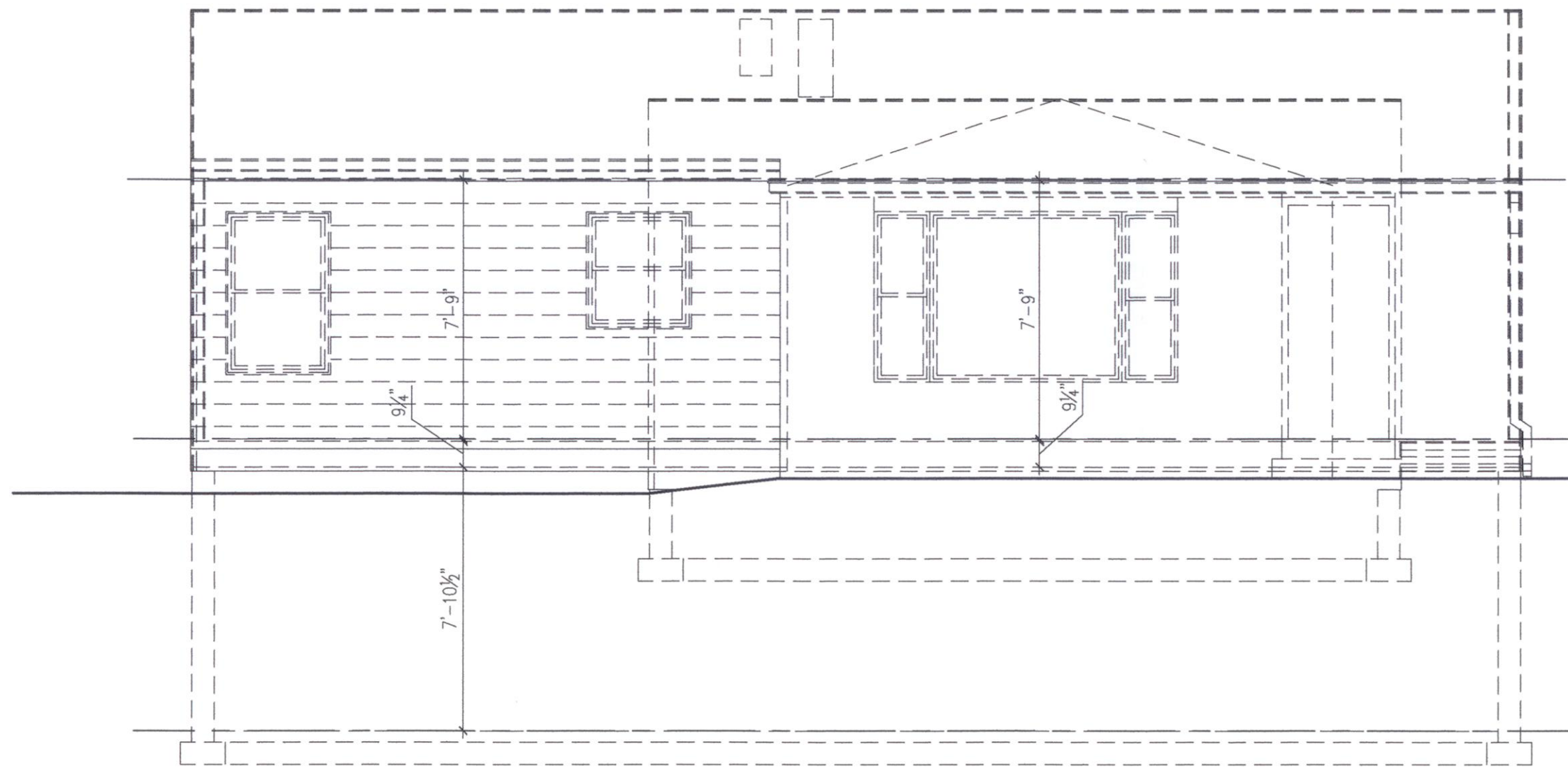
SOUTH ELEVATION
SCALE : 1/16" = 1'-0"



EAST ELEVATION
SCALE : 1/16" = 1'-0"



NORTH ELEVATION
SCALE : 1/16" = 1'-0"



WEST ELEVATION
SCALE : 1/16" = 1'-0"

EXISTING ELEVATIONS

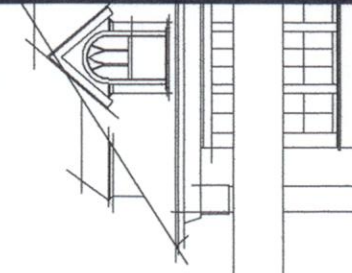
SOUTH ELEVATION
EAST ELEVATION
NORTH ELEVATION
WEST ELEVATION

PRELIM DATE:	REVISIONS:
8/16/20	
ISSUE DATE:	
CONTR. DATE:	
8/16/20	
DRAWN BY:	
D.J.P.	

SHEET
A-3
3 OF X

ADDITIONS AND RENOVATIONS
AT
834 N. SPOEDE ROAD
ST. LOUI, MO 63141

Dan Passanise
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ST. LOUIS, MO 63123
314-677-7738



EXP. DATE: 12/31/21
DATE: 1/15/24





SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



EAST ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"



NORTH ELEVATION
SCALE: 1/4" = 1'-0"

EXP. DATE: 12/31/21

Dan Passanise

DANIEL PASSANISE
NUMBER A-003638
ARCHITECT

DATE: 11/15/21

Dan Passanise

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314-677-1738

ADDITIONS AND RENOVATIONS
AT
834 N. SPOEDE ROAD
ST. LOUIS, MO 63141

PRELIM DATE:	REVISIONS:
11/17/20	01/14/21
ISSUE DATE:	
CONTR. DATE:	00/00/00
DRAWN BY:	D.J.P.

SHEET

A=3