



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

February 22, 2022

4:00 PM

City Council Chamber

I. CALL TO ORDER

Mr. Glenn Wilen (Chair)
Mr. Martin Satz
Mr. Arnold Mayersohn
Mr. James Kostelc
Mr. Robert Mooney

Mr. Carl Lumley, City Attorney
Mr. Jason Jaggi, AICP, Director of Community Development
Ms. Bethany L. Moore, City Planner
Ms. Megan Waller, Administrative Supervisor/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. August 19, 2021 Board of Adjustment Draft Meeting Minutes

IV. NEW BUSINESS

1. Variance Request for the Property at 108 North Mosley Road to Construct an Accessory Structure at 13 Feet, 10 Inches in Height Rather Than the Required 12 Foot Height Allowance for All Accessory Structures

Jason and Jessica Erfling, homeowners, have submitted an application for a variance request of 1 foot, 10 inches in order to construct an accessory structure at 108 N. Mosley Road in the "A" Single-Family Residential District. The proposed accessory structure is a free-standing pool house with attached garage with a height of 13 feet, 10 inches when measured from the average existing grade of the site to the midpoint of the roof. Section 405.460 C(5) limits the height of all accessory structures in any residential district to a maximum of 12 feet in height.

V. OTHER BUSINESS

1. Election of Chair and Vice Chair
2. 2022 Board of Adjustment Meeting Schedule

VI. ADJOURNMENT

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

August 19, 2021

4:00 PM

City Council Chamber

I. CALL TO ORDER

Mr. Glen Wilen called the meeting to order at 4:00PM.

Robert Mooney Board Member
 Martin Satz Board Member (Absent)
 Glenn Wilen Chair
 James Kostelc Board Member
 Arnold Mayersohn

II. ADDITIONS TO-ACCEPTANCE OF THE AGENDA

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

III. APPROVAL OF MINUTES

1. May 20, 2021 Board of Adjustment Draft Meeting Minutes

Mr. Mooney made a motion to accept the minutes. Mr. Kostelc seconded. All in favor.

IV. NEW BUSINESS

1. Variance Request for the Property at 404 Falaise Drive to Allow for a New Deck that Encroaches to 20 Feet from the Rear Yard Where the Required Rear Yard Setback is 30 Feet and to 7 Feet from the Side Yard Where the Required Side Yard Setback is 13.2 Feet

Brett Millaway, homeowner, has submitted an application for a new elevated deck at 404 Falaise Drive to encroach into the rear yard to 20 feet from the rear property line and seven feet from the side yard. The subject property is within the Country Forest Subdivision, zoned B-RDD, where unless otherwise noted on the subdivision plat the standards fall back to the underlying B zoning district, per Section 405.450(C)(1)(c) of the Residential Designed Development Procedure. The subdivision plat does not indicate a reduced rear yard and B Zoning District has a rear yard setback of thirty (30) feet, per Section 405.260(E)(4)(e) and a side yard setback of Fifteen (15) feet or fifteen percent (15%) of the lot width, whichever is less, provided that a minimum side yard of seven and one-half (7 1/2) feet must be provided for any non-conforming lot, per Section 405.260(E)(4)(c). Additionally, Section 405.630(A)(5) provides that a deck, whether elevated or at ground level, may project up to five (5) feet into a required rear yard. The property is 88 feet wide, and therefore has a 13.2 foot side yard. Section 405.610(D)(1) states that 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.

Those speaking to the request were sworn in.

Attachment: BOA DRAFT Minutes 8.19.21 (August 19, 2021 Board of Adjustment Draft Meeting Minutes)

Mr. Brett Millway, homeowner, said they are trying to build a deck to cover the existing patio and extend the deck a foot to rear and a foot to the side. He said there is common ground to the rear and with the common ground they meet the setback requirements for the city and the HOA.

Mr. Wilen asked what makes the patio non-conforming.

Mr. Millway said it was non-conforming due to the setbacks.

Mr. Kostelc asked how high the deck would be.

Mr. Millway said it would be 3 feet off the ground. He said the patio would remain and be used for storage.

Mr. Jaggi went over the request for a variance. He gave some background and said the subdivision falls under the B-zoning district. He said the setbacks were not indicated in the 70's on the subdivision plat. He said there are some indentures, but rear setbacks are not addressed.

Mr. Jaggi said comments from the trustees regarding the indentures had been placed at each member's station. He showed a site plan and explained that there are no setback requirements for concrete patios, but there are for decks.

He said the deck is standard for the area and not large or unusual for the area. He said most subdivisions do not have the kinds of constraints found in this neighborhood.

Mr. Mooney asked if the common ground had power lines.

Mr. Jaggi said he believed there were power lines.

Mr. Mooney asked if the structure would go into the common ground. Mr. Jaggi stated it would not.

Mr. Roger Naney, Country Forest Subdivision trustee, said the trustees had granted approval to this request. He said the homes meet the indentures but often do not meet the city's ordinance requirements.

Mr. Kostelc asked if a contractor would be doing the work.

Mr. Millway said a contractor would do the work.

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

Mr. Wilen made a motion to approve, Mr. Mooney seconded. All in favor.

Mr. Wilen made a motion for staff to prepare the Finding of Facts and Conclusion of Law. All in favor.

RESULT:	APPROVED [UNANIMOUS]
AYES:	Mooney, Wilen, Kostelc, Mayersohn
ABSENT:	Satz

2. Variance Request for the Property at 12381 Country Glen Lane to Allow for the Replacement of the Deck that Encroaches to 22 Feet from the Rear Yard Where the Required Rear Yard Setback is 30 Feet and to 7 Feet from the Side Yard Where the Required Side Yard Setback is 12 Feet

C.J. Moss, of Chesterfield Fence and Deck, on behalf of the homeowners, James and Rachel Graham, has submitted an application for a new deck, to replace the existing deck that will be torn down at 12381 Country Glen Ln, to encroach into the rear yard to

22 feet from the rear property line and seven feet from the side yard. The subject property is within the Country Forest Subdivision, zoned B-RDD, where unless otherwise noted on the subdivision plat the standards fall back to the underlying B zoning district, per Section 405.450(C)(1)(c) of the Residential Designed Development Procedure. The subdivision plat does not indicate a reduced rear yard and B Zoning District has a rear yard setback of thirty (30) feet, per Section 405.260(E)(4)(e) and a side yard setback of Fifteen (15) feet or fifteen percent (15%) of the lot width, whichever is less, provided that a minimum side yard of seven and one-half (7 1/2) feet must be provided for any non-conforming lot, per Section 405.260(E)(4)(c). Additionally, Section 405.630(A)(5) provides that a deck, whether elevated or at ground level, may project up to five (5) feet into a required rear yard. The property is 80 feet wide, and therefore has a 12 foot side yard. Section 405.610(D)(1) states that 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.

Mr. James Graham, owner, said he and his wife would like to replace the deck as-is. He said the deck was last replaced in 1997. He said there would be no change in runoff. He said the original deck was approved by the city in 1997.

Mr. Wilen asked how long they had been in the home.

Mr. Graham said 37 years.

Mr. Wilen asked what was under the deck.

Mr. Graham said soil

Mr. Mooney asked what the original material was

Mr. Graham said it was pressure treated deck.

Mr. Mayersohn asked if the height or railings would change.

Mr. Graham said it would not.

~~Mr.~~ Mr. Mayersohn asked if the materials would change.

Mr. Graham said it would be composite material

Mr. Jaggi said this was another request in the Country Forest subdivision. He went over the background. He said the side yard is 12 feet, 30 foot rear yard. He showed the proposed layout for the deck. He said it is consistent with how the subdivision is laid out.

Mr. Wilen asked what had changed in the permitting process.

Mr. Jaggi said when the original deck was approved ~~on-by~~ staff ~~lee~~, they apparently followed the indentures but for consistency, ~~the direction~~ the city is now trying to follow the ordinances.

Mr. Mooney asked about the demolition.

Mr. Graham said Chesterfield ~~F~~fence and ~~D~~deck would handle the demolition and disposal.

~~Mr.~~ Mr. Kostelc asked if new piers would need to be dug.

Chesterfield ~~F~~fence and ~~D~~deck said new piers would need to be dug.

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

Mr. Wilen made a motion to approve. Mr. Kostelc seconded. All in favor.

Mr. Wilen made a motion for staff to prepare the Finding of Facts and Conclusion of Law. All in favor.

RESULT:	APPROVED [UNANIMOUS]
AYES:	Mooney, Wilen, Kostelc, Mayersohn
ABSENT:	Satz

V. OTHER BUSINESS

None

VI. ADJOURNMENT

Meeting adjourned at 4:39 PM.



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

APPLICATION TO THE BOARD OF ADJUSTMENT VARIANCE REQUEST FOR THE PROPERTY AT 108 NORTH MOSLEY ROAD TO CONSTRUCT AN ACCESSORY STRUCTURE AT 13 FEET, 10 INCHES IN HEIGHT RATHER THAN THE REQUIRED 12 FOOT HEIGHT ALLOWANCE FOR ALL ACCESSORY STRUCTURES

FOR THE MEETING OF: Tuesday, February 22, 2022

SUBJECT PROPERTY LOCATION: 108 N. Mosley Road, Zoned "A" Single Family Residential District.

REQUEST: Jason and Jessica Erfling, homeowners, have submitted an application for a variance request of 1 foot, 10 inches in order to construct an accessory structure at 108 N. Mosley Road in the "A" Single-Family Residential District. The proposed accessory structure is a free-standing pool house with attached garage with a height of 13 feet, 10 inches when measured from the average existing grade of the site to the midpoint of the roof. Section 405.460 C(5) limits the height of all accessory structures in any residential district to a maximum of 12 feet in height.

ADDITIONAL INFORMATION: The subject property is a corner lot at the northeast intersection of Ladue Road and N. Mosley Road. The subject property has two front yard setbacks, one along Ladue Road and one along N. Mosley Road due to its location as a corner lot, one side yard setback parallel to N. Mosley Road and one rear yard setback parallel to Ladue Road. The setbacks for permitted use in the "A" Single Family Residential District are 50 feet for a front yard setback, 15 feet or 15% of the lot width, whichever is less, for a side yard setback and 30 feet for a rear yard setback per Section 405.250(E)(4). Accessory structures must conform to the same setback requirements as the primary structure except accessory structures shall be set back at least five feet from the rear lot line. The maximum lot coverage in the "A" District is 25%. The topography of the lot causes a downward slope towards the northeast corner of the property. An existing pool house, smaller in scale, will be demolished to make room for the proposed accessory building.

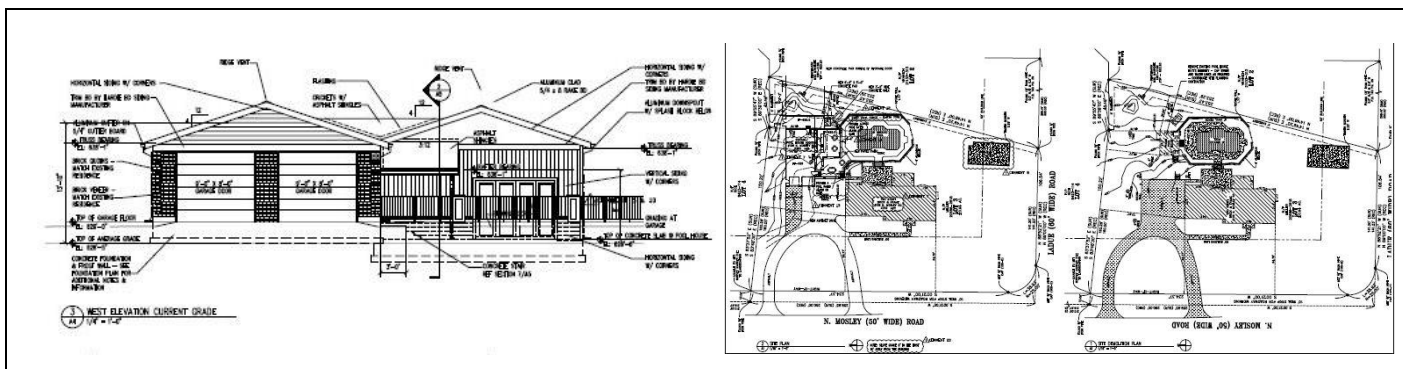
Key Issues:

- Impact to neighborhood
- Property versus owner hardship

Zoning Code References

- Section 405.250: A Single-Family Residential District
- Section 405.460: Accessory Uses and Structures
- Section 405.1040: Board of Adjustment
- Section 405.1110: Variances and Appeals

APPLICANT/ PROPERTY OWNER: Jason and Jessica Erfling
108 N. Mosley Road
Creve Coeur, MO 63141



REPORT PREPARED BY: Bethany Moore, City Planner

DATE: 2/10/2022

ATTACHMENTS: Applicant's Materials submitted January 14, 2022

The Applicants are seeking a variance from the 12-foot height maximum for all accessory structures to allow a new free-standing pool house with attached garage and storage room at a height of 13 feet, 10 inches, with an area of 2,390 square feet. Per Section 405.120, Building Height is defined as, *“The vertical distance from grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the mean height level between eaves and ridge of a gable, hip or gambrel roof. In the case of new construction and building additions, building height shall be measured from the existing grade prior to the commencement of any construction.* Following this section, the height of the accessory structure’s roof measures at 13 feet, 10 inches.

Section 405.460 (C)(5) of the Accessory Uses and Structures states, “*Accessory structures in any residential district shall not exceed twelve (12) feet in height with the exception of walls, fence or hedges located within the required side, rear or front yard setback which shall not exceed six (6) feet in height.*” The topography of the lot includes a slope towards the northeast corner which effects the existing grade at the location of the proposed accessory structure. Due to the topography of the lot and the chosen height of the accessory structure, the height and placement of the accessory structure does not comply with the Zoning Code.

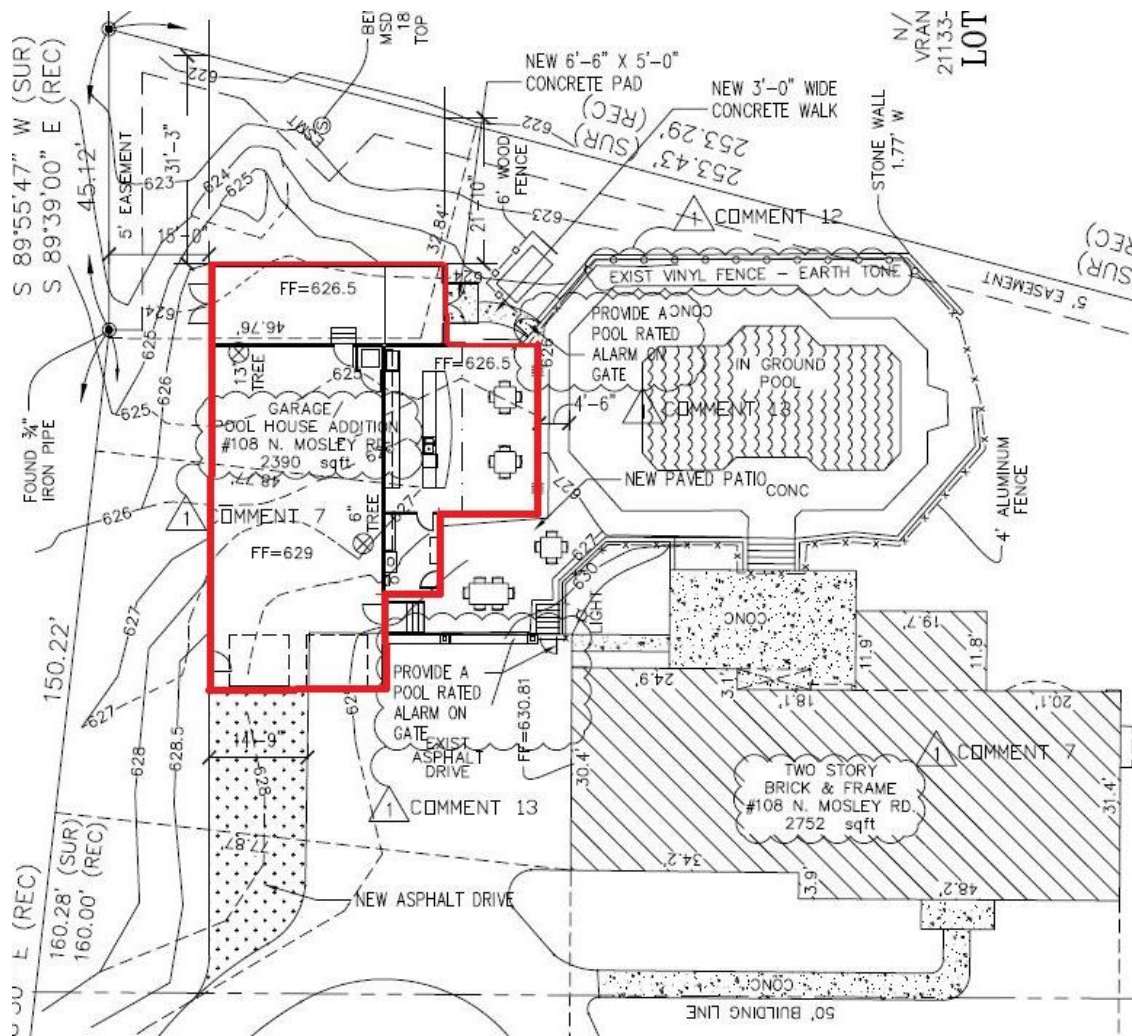


Figure 1: Close-up of the proposed site plan. The red line indicates the proposed accessory structure.

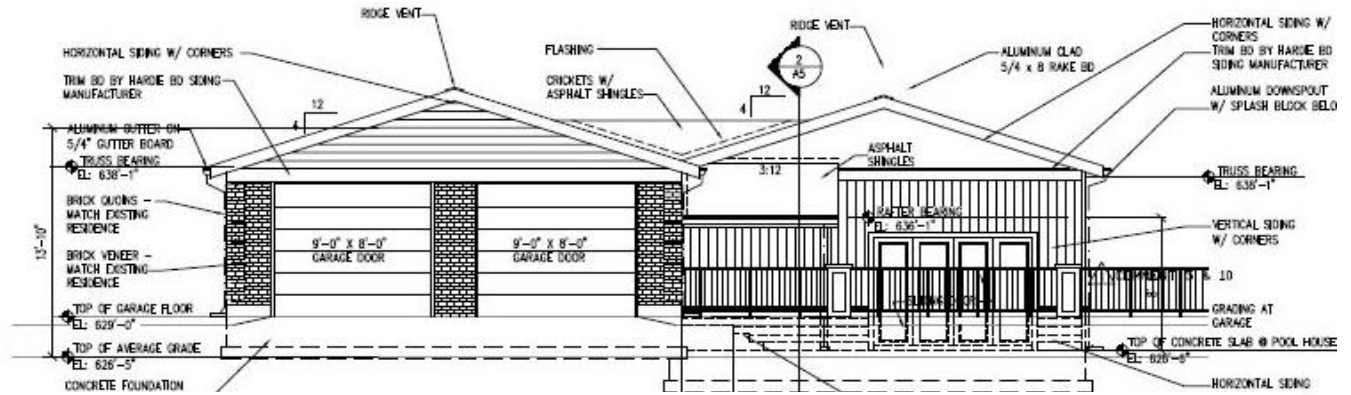


Figure 2: Proposed west elevation facing North Mosley Road

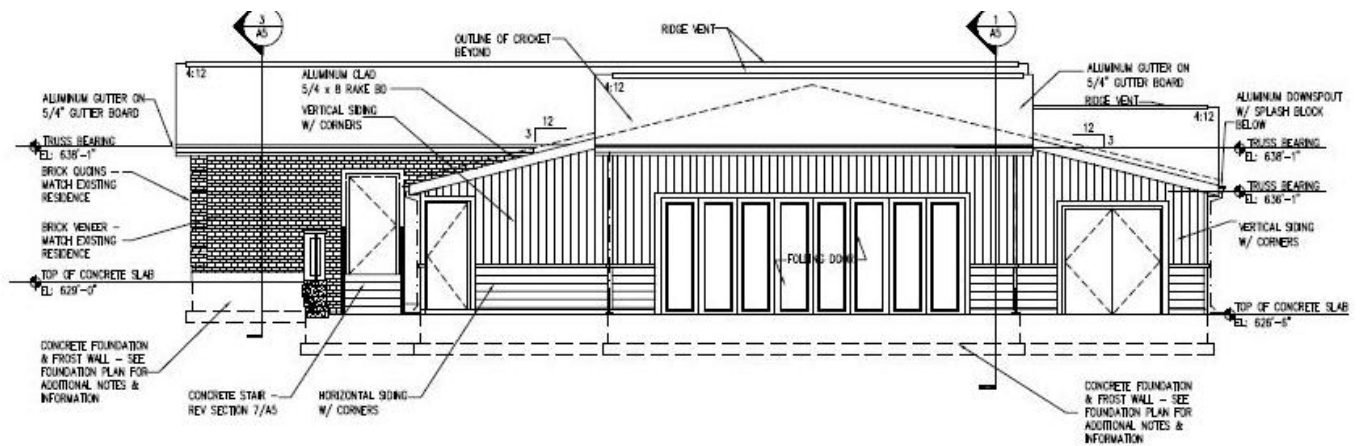


Figure 3: Proposed South Elevation

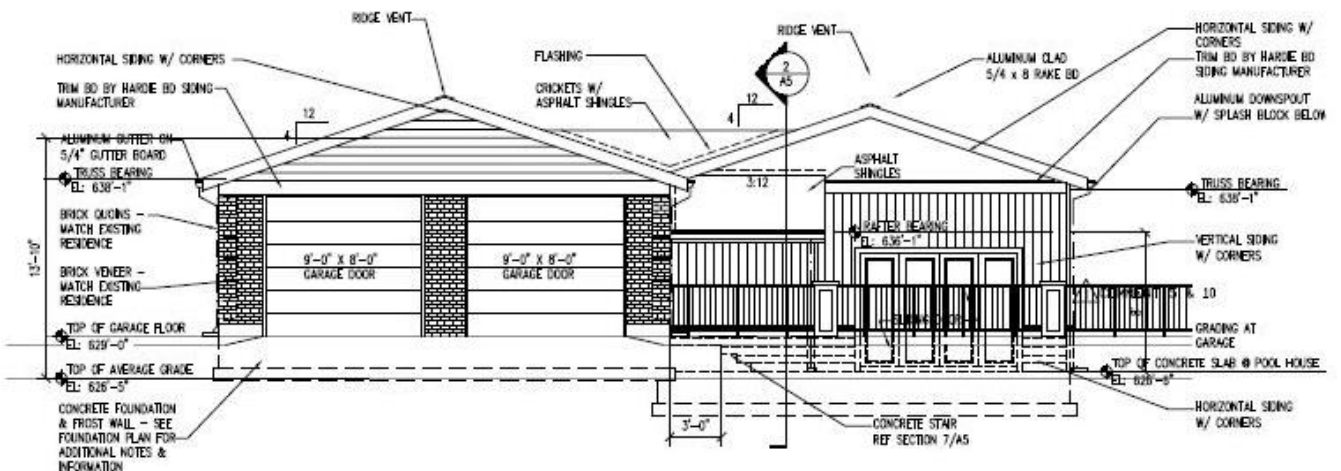


Figure 4: Proposed West Elevation

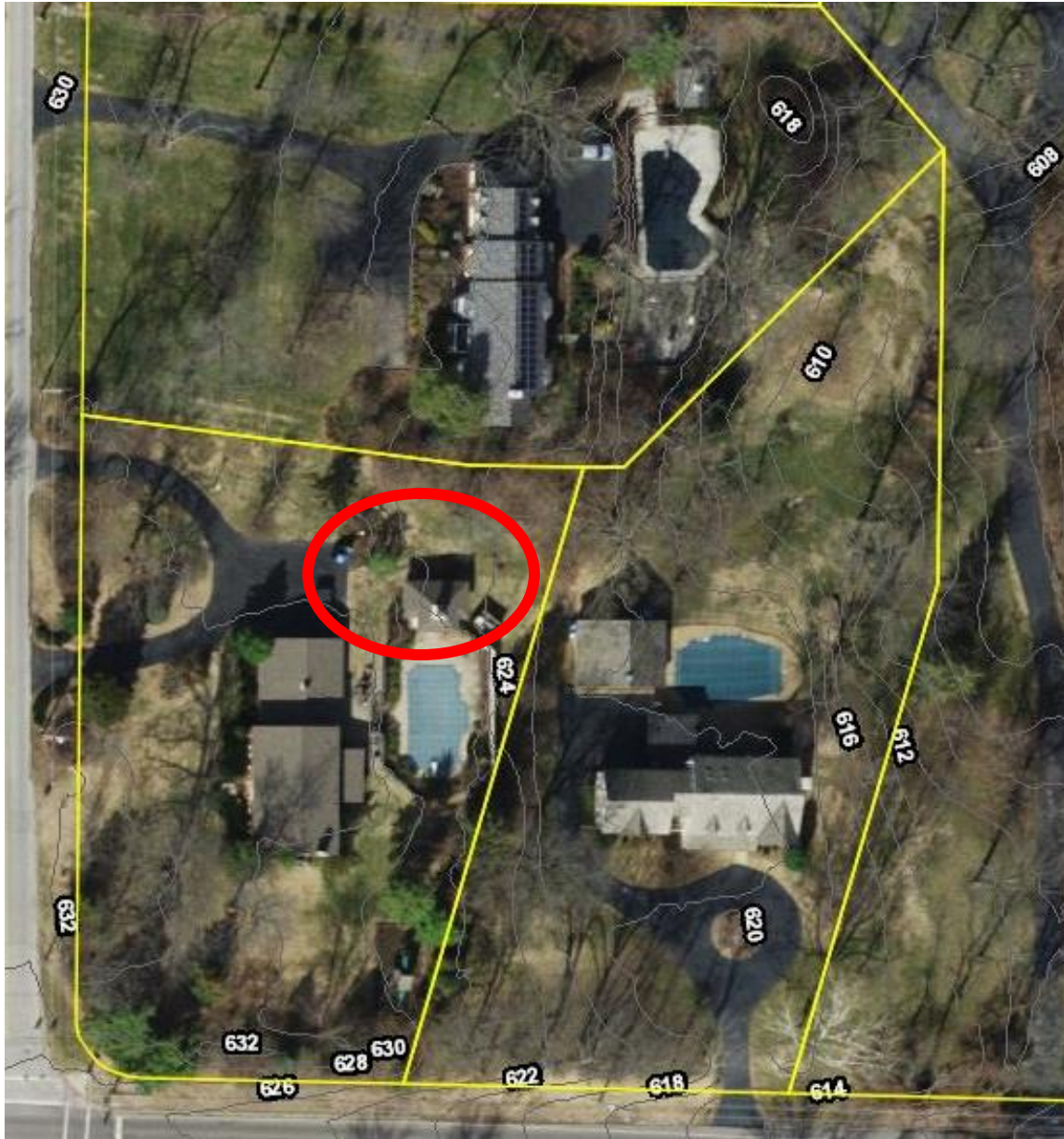


Figure 5: Contours of 108 N. Mosley and Surrounding Lots

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	NA
South	Residence	A Single Family Residential	Ladue Road
East	Residence	A Single Family Residential	N/A
West	Residence	A Single Family Residential	North Mosley 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;**

The subject property is a pre-existing, non-conforming lot. The square footage of the lot is slightly below the minimum lot area of 1 acre (43,560 square feet) at 41,216 square feet but these conditions are also found in many of the surrounding lots in the same zoning district. The lot has a slope towards the northeast corner which effects the existing grade prior to construction. When reviewing the contours of the surrounding lots, several lots have an equal or greater slope present, making this grade change not unique to the property in question and not out of the ordinary for lots in the same zoning district (see Figure.5).

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

The non-conformity of the lot and the slope of the grade were in no way created by the applicant. It is, however, their decision as to the location of the accessory structure within the buildable area of the lot and the height of the structure to accommodate two 9-foot-tall garage doors and raised ceilings. It is possible to build an accessory structure on the lot that meets the 12-foot maximum height requirement for accessory structures and would not require a variance to proceed. Lowering the roof slope or attaching the addition to the house are options which would likely eliminate the need for a variance. Alternatives to the current proposal were discussed with the applicant and it is their preference to proceed with the project as proposed.

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

Whether or not the allowance of an accessory structure to exceed the 12-foot maximum height requirement in this case would represent an adverse impact upon adjacent property owners or residents is fairly debatable. The downward slope of the lot towards the northeast corner allows for the accessory structure to visually appear to conform to the 12-foot height maximum from N. Mosley Road. The height of the structure would be more pronounced when viewed from the adjacent properties to the north and east given its size and placement closer to these property lines. The large scale of the accessory structure at 2,390 square feet coupled with the height variance makes the structure appear imposing along the north lot line adjacent to 120 N. Mosley Road. As of the date of this report, no comments from adjacent residents have been received.

- 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;**

The applicants have not presented evidence that proves strict application of the 12-foot height maximum for accessory structures would cause severe practical difficulty or extreme hardship for the property owner. The applicants have been provided suggestions for alternative design plans for the accessory structure that would comply with the provisions of the Zoning Ordinance. The provisions of the Zoning Ordinance and the conditions of the lot do not make it impossible to construct an accessory structure of similar size and use on the lot or in the same location as proposed. It should be noted that the Zoning Ordinance does not impose a specific size limitation for accessory structures and the applicant's plans show the site coverage at 24.99%, just below the maximum allowance of 25%. The question before the Board, under this criterion, is whether or not the inability to fully exercise the design of the proposed accessory structure represents an extreme hardship. The Applicants are maintaining the existing slope

causes their accessory structure to fall outside of the height limitations and that if the site were level, calculated from the west end of the building, their plans would not be out of compliance or require a variance.

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

It is unlikely that this request will affect the overall public health, safety, order, convenience, or general welfare of the community. This request primarily impacts the adjacent property owners to the north and east. The Zoning Ordinance intentionally places more restrictive height limitations for accessory buildings in order to maintain the subordinate relationship to the primary building on the property. The City's Zoning Ordinance does not specifically regulate the size or number of accessory buildings. Instead, the code relies on limitations for height, setbacks, and overall size coverage to maintain the desired character. Although very large, the proposal appears to meet with the site coverage and setbacks as required by the Zoning Ordinance.

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

Granting the 1 foot, 10 inch variance to allow the height of the accessory structure to be built as designed at 13 feet, 10 inches instead of the allowed maximum of 12 feet for accessory structures in all residential zoning districts would appear to violate the general spirit and intent of Section 405.460 *Accessory Uses and Structures* because this provision is imposed on all other accessory structures in residential areas and there are alternatives to the proposed design that would still allow for an accessory structure to be built and used for the same purpose. The applicants have not proven that their lot's existing conditions are severe enough to preclude the construction of any accessory structure that would comply with the Zoning Code. In 2018, the City amended the Zoning Ordinance to require the height of all buildings to be based on the average existing grade, prior to construction. This amendment was adopted to establish a consistent method for measuring height taking into account existing topographical conditions. This method of measuring height is applied to all buildings, including accessory buildings. Since its adoption, staff has not observed difficulty with other new construction proposals in meeting this requirement.

The purpose and intent of the Zoning Ordinance is intended to ensure that the zoning regulations protect a broad range of property interests and owners. Altering the Zoning Ordinance as it applies to design preferences of the current homeowner rather than the physical conditions that would affect many homeowners would appear to be contrary to the larger purpose and intent of the Zoning Ordinance. The general spirit and intent of Section 405.460 is to regulate accessory structures and maintain that such structures are subordinate to the primary structure on the lot and the height limitation contributes to meeting this objective.

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.**

Although the size of the lot is slightly under the minimum lot area of 1 acre and the topography of the lot creates a downward slope towards the north east corner of the lot, affecting the average grade calculation, these conditions do not constitute exceptional conditions or circumstances that create a hardship to the property in a manner that is dissimilar to that of other similarly situated

properties in the “A” Single-Family Residential District. These circumstances are present in other lots in the district and do not preclude the construction of any accessory structure, just the proposed accessory structure as designed.

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

The permitting process requires the submittal of stormwater management plans to be reviewed in greater detail as part of the construction permit process to ensure the effects on neighboring properties are minimized. Granting the 1 foot, 10-inch height variance for the proposed accessory structure would not change the stormwater mitigation requirements for construction of accessory structures.

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 as requested to allow for a 1 foot, 10-inch height variance for the property addressed as 108 N. Mosley Road, where the allowed maximum height for accessory structures in all residential districts is 12 feet, based upon a positive finding that:

1. The variance 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 variance requested is because of a unique hardship created by factors other than the Applicants or owners of the property;
3. The granting of the variance will not adversely affect adjacent property owners or residents;
4. The strict application of the 12-foot height maximum for accessory structures will cause severe practical difficulty and extreme hardship for the property owner represented in the application;
5. The proposed accessory structure will not adversely affect the public health, safety, order, convenience or general welfare of the community;
6. Granting the height variances will not violate the general spirit and intent of this Chapter;
7. Extraordinary or exceptional circumstances present on the lot prevent the strict application of the height requirements and create a hardship to the property in a manner dissimilar to that of other similarly situated properties 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 108 North Mosley Road based upon the testimony received and the deliberations of the Board on this application, as decided on February 22, 2022.”

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: 108 N. Mosley BOA Staff Report 2.17.22 (108 N. Mosley Road Height Variance)

city
of**CREVE COEUR**File # 22-108

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):
Name Jason & Jessica Erling	Name
Company (If Applicable)	Company (If Applicable)
Address 108 N. Mosley Rd.	Address
Address Creve Coeur, MO 63141	Address
Telephone # 314-363-3359	Telephone #
Fax #	Fax #
Email: jasonerfling@gmail.com	Email:

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, _____, 20__.

Jason Erling
 Applicant's Signature

Applicant's Representative's Signature

01/12/2022

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)

RECEIVED
JAN 14 2022
 Updated 12/2020
PLANNING DEPT.

Attachment: Applicant's Materials (108 N. Mosley Road Height 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):
Pool house/garage structure to replace existing pool house/storage structure. See attached plans.

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

- Unique physical characteristics of the property (creek, steep slope, lot shape, etc.):
The defining characteristic is a steep slope at the back corner (NE) of the lot. This portion of the lot is bordered by adjacent residential properties with a vegetative "fence row" creating visual privacy.
- Unique non-physical characteristics of the property (location, access, history, etc.):
None.
- Any other differences between the Subject Property and other properties in the surrounding area which would warrant different treatment of the Subject Property:
The substantial change in grade at the back of the proposed building site creates a measurement in the zoning code warrants the variance. If the building site were level, based on the frontage elevation, the site would not be out of compliance.
- Current uses and structures on the property:
Residential home: 2 Story, 3515 sq ft
Outbuilding serving as storage and a pool house

RECEIVED

JAN 14 2022

PLANNING DEPT.

Attachment: Applicant's Materials (108 N. Mosley Road Height Variance)

3. Explain why the zoning laws unfairly burden the property compared to the other properties around it:
The unusual easward slope (back of the structure) causes our building plans to fall outside of the height limitations. If our building site were to be level, calculated from the street facing (West) end of the building, our plans would not be out of compliance.
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?
Yes. With this updated structure we will have updated our property to more closely align with the new construction and updated properties in our neighborhood. The update to our property will increase the assessed value of our property and create a lift for the property market of the neighborhood as a whole. As new homes are constucted on lots smaller than ours that include the ammenities we are adding it is necessary that we keep our property similarly appointed so as to not loose proportionate market value.
5. Assuming the variance is approved, describe the potential effects or impacts on neighboring properties:
None.
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 Creve Coeur provided services will need to be added to or upgraded.
Water and sewer updates are included in the building plans, attached.
No changes or upgrades to electrical service.
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

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 JAN 14 2022
 PLANNING DEPT.

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: 82A

10. Size of the lot (total square feet or acres): .94 ac

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

RECEIVED

JAN 14 2022

PLANNING DEPT.

Attachment: Applicant's Materials (108 N. Mosley Road Height Variance)

GENERAL NOTES

ALL SOFFITS AND DROPPED CEILINGS TO BE FIRE STOPPED

FIRESTOP ALL WALLS @ 8'-0" VERTICLE

DRYWALL INSTALLATION TO BE IN CONFORMANCE WITH THE GYPSUM ASSOCIATION RECOMMENDED PRACTICES FOR THICKNESS NAILING AND TAPING ON CORRECT STUD SPACING.

ALL FRAMING TO CONFORM W/ THE NATIONAL FOREST PRODUCTS MANUAL FOR HOUSE FRAMING

PARTITIONS TO BE 2 X 4 STUDS @ 16" O.C. 1250 F.S. AS NOTED

DO NOT SCALE DRAWINGS - USE DIMENSIONS SHOWN

WATER RESISTANT GYPSUM BD TO BE USED IN ALL WET AREAS.

MAXIMUM FLAME SPREAD RATING ON ALL INTERIOR FINISH MATERIALS SHALL NOT EXCEED 200

ALL HVAC EQUIPT AND DUCTWORK SHALL COMPLY WITH CURRENT IBC AND BASIC MECHANICAL CODE

ALL MECHANICAL, ELECTRICAL AND PLUMBING WORK WILL BE DONE ON A DESIGN BUILD BASIS

CAULKING AND SEALANTS: AT EXTERIOR JOINTS AROUND WINDOWS AND DOOR FRAMES, BETWEEN SILL PLATE AND FOUNDATION

GENERAL CONTRACTOR TO NOTIFY ARCHITECT OF ANY AND ALL DISCREPANCIES - ALL ISSUES OF DISCREPANCIES MUST BE RESOLVED PRIOR TO PROCEEDING OF CONSTRUCTION.

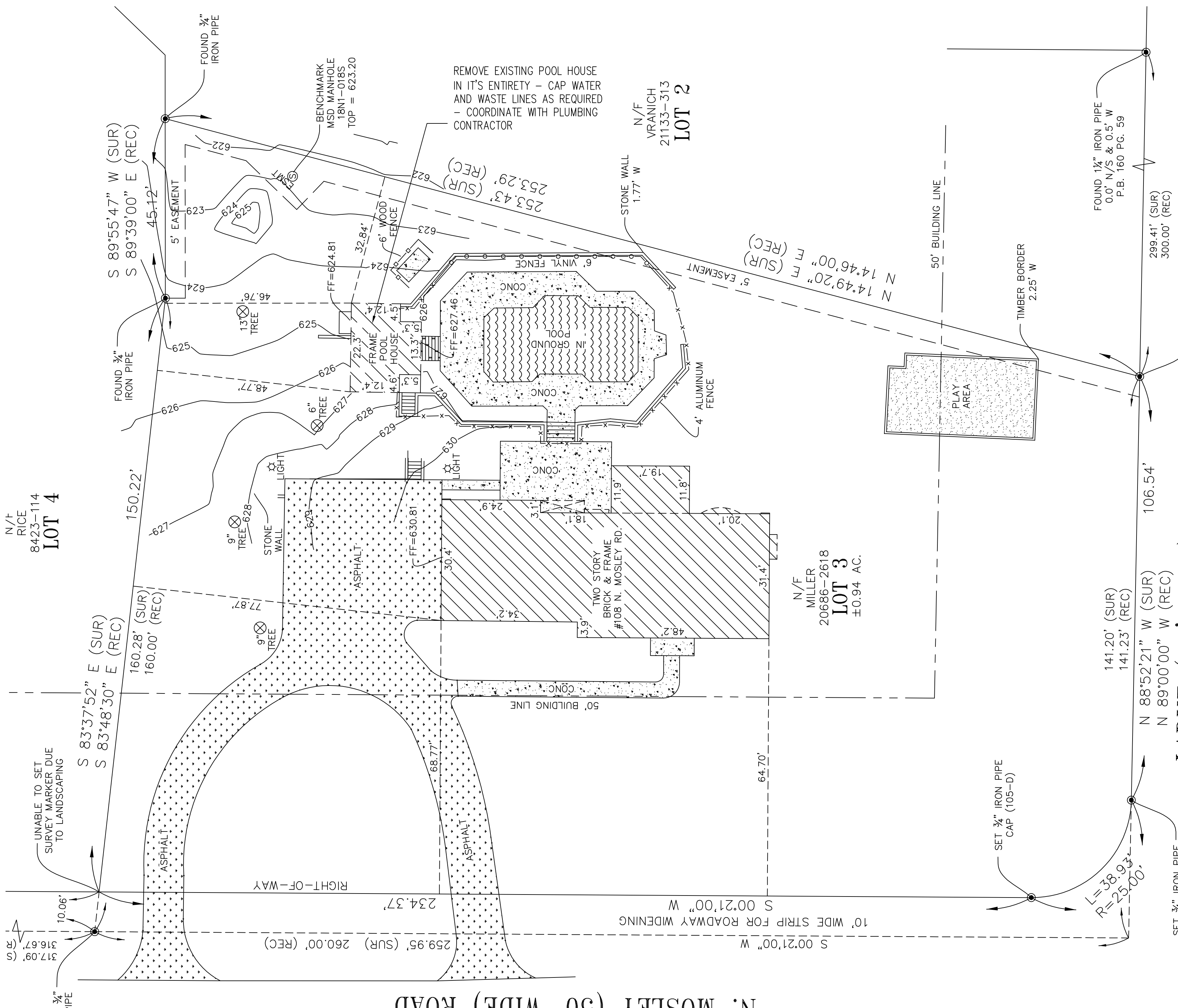
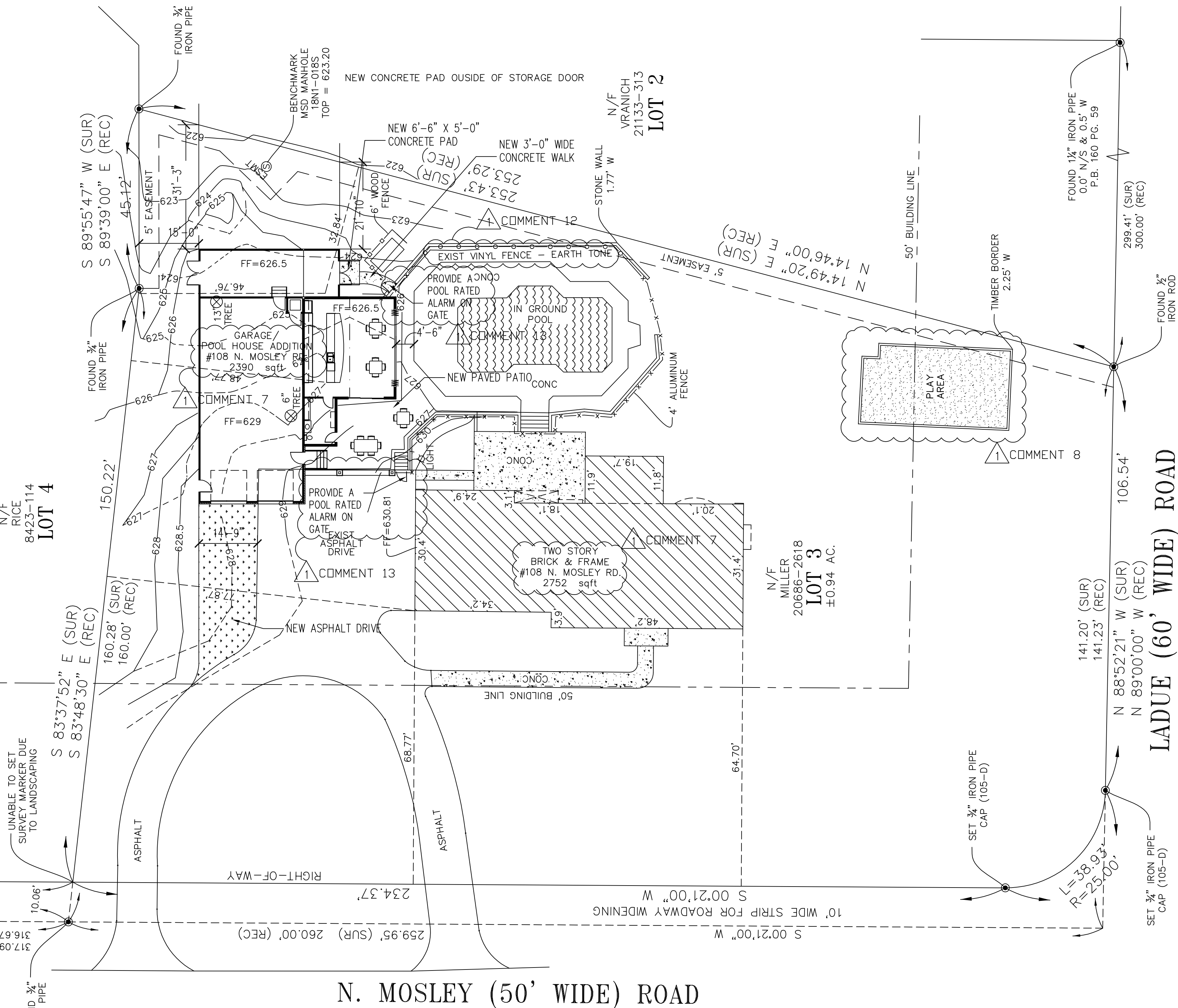
ALL FINISHES, TRIM, ANY & ALL FIXTURES TO BE CHOSEN BY OWNER

TRUSSES SHALL BE BRACED IN ACCORDANCE WITH ACCEPTED INDUSTRY PRACTICE SUCH AS THE SBCA BUILDING COMPONENT SAFETY INFORMATION (BCSI-3)

LEGEND

- SMOKE DETECTOR HARD WIRED INTERCONNECTED W/ BATTERY BACK-UP
- NEW CONSTRUCTION
- NEW DOOR
- 3 WAY SWITCH
- SWITCH
- ELECTRIC OUTLET
- SMOKE DETECTOR INTERCONNECTED W/ BATTERY BACK-UP
- LIGHT
- EXHAUST FAN - VENT TO EXTERIOR
- RECESSED LIGHT FIXTURE
- EXISTING CONTOUR MODIFIED
- MODIFIED CONTOUR

COMMENT 9



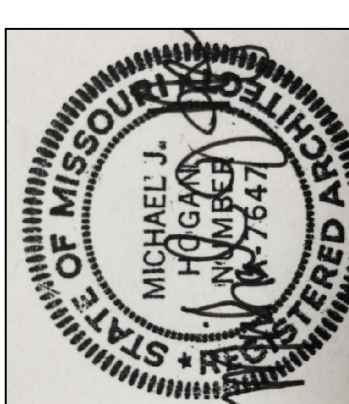
APPLICABLE CODES

2015 INTERNATIONAL RESIDENTIAL CODE
2015 IECC (ENERGY CONSERVATION)

PROJECT INFORMATION

BUILDING DATA :							
BEDROOM WINDOW	MIN WINDOW REQUIRED: MINIMUM NET CLEAR OPENING MINIMUM NET CLEAR OPENING HEIGHT MINIMUM NET CLEAR OPENING WIDTH MAXIMUM SILL HEIGHT	5.7 SQFT 24 INCHES 20 INCHES 44 INCHES AFF	FIRE STOPPING	ALL DUCT CHASES, BULKHEADS, LAUNDRY CHUTES, METAL FLUES, TUB TRAPS AND ALL SHAFTS AT EACH FLOOR	STUD WALLS	2X4 AT 16 INCHES ON CENTER, PRESSURE TREATED SOLE PLATES WHERE IN CONTACT WITH MASONRY OR CONCRETE	
HALLWAYS	MIN WIDTH	3 FEET	ELECTRICAL PANEL	ALL PANELBOARDS SHALL HAVE A RATING NOT LESS THAN THAT OF THE MINIMUM SERVICE ENTRANCE OR FEEDER CAPACITY REQUIRED FOR THE CALCULATED LOAD.	WALL COVERINGS	DRYWALL PANELING - MAXIMUM SMOKE DENSITY: MAXIMUM FLAME SPREAD:	1/2 INCH 450 200
STAIRWAYS	MINIMUM CLEAR WIDTH MINIMUM HEADROOM MINIMUM TREAD MAXIMUM RISER	3 FEET 6FT 8 INCHES 10 INCHES 7 3/4 INCHES	SMOKE DETECTORS	1 REQUIRED ON EACH LEVEL, PLUS 1 IN EACH BEDROOM AND ONE OUTSIDE EACH SLEEPING AREA. EACH SHALL HAVE INTERNAL BATTERY BACK-UP PLUS BEING HARDWIRED	HABITAT ROOMS	MINIMUM AREA: MINIMUM HORIZONTAL DIMENSION:	70 SQ FT 7 FEET
WORKING SPACE AROUND ELECTRIC EQUIPMENT	MINIMUM WIDTH MINIMUM IN FRONT	30 INCHES 36 INCHES					
CEILING HEIGHT	HABITABLE ROOM OTHER AREAS UNDER BEAMS AND DUCTS	7FT 0 INCHES 6FT 8 INCHES 6FT 4 INCHES					
BATHROOMS	NON-ABSORBENT GYPSUM BOARD AROUND SHOWER AND BATH AREAS						
CODE BLOCK							
OCC. GROUP	CONST TYPE	BLDG. HT. ALLOW	BLDG. HT. ACTUAL	BASIC ALLOW FLR. AREA	ACTUAL FLR. AREA		
R2	5B	2 STORY	1 STORY	7,000 SQFT	1,320 SQFT		

MH ARCHITECT, P.C.
MICHAEL J. HOGAN
1038 Dovegate Dr
Kirkwood, MO 63122
mharchitects@siglobal.net
Mo License Number 007647



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Nov 19, 2021

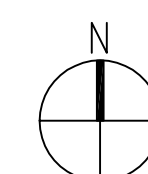
Attachment: Applicant Materials (108 N. Mosley Road Height Variance)

CARAGE/POOL HOUSE ADDITION
ERLING RESIDENCE
108 N Mosley Rd
St. Louis MO 63141

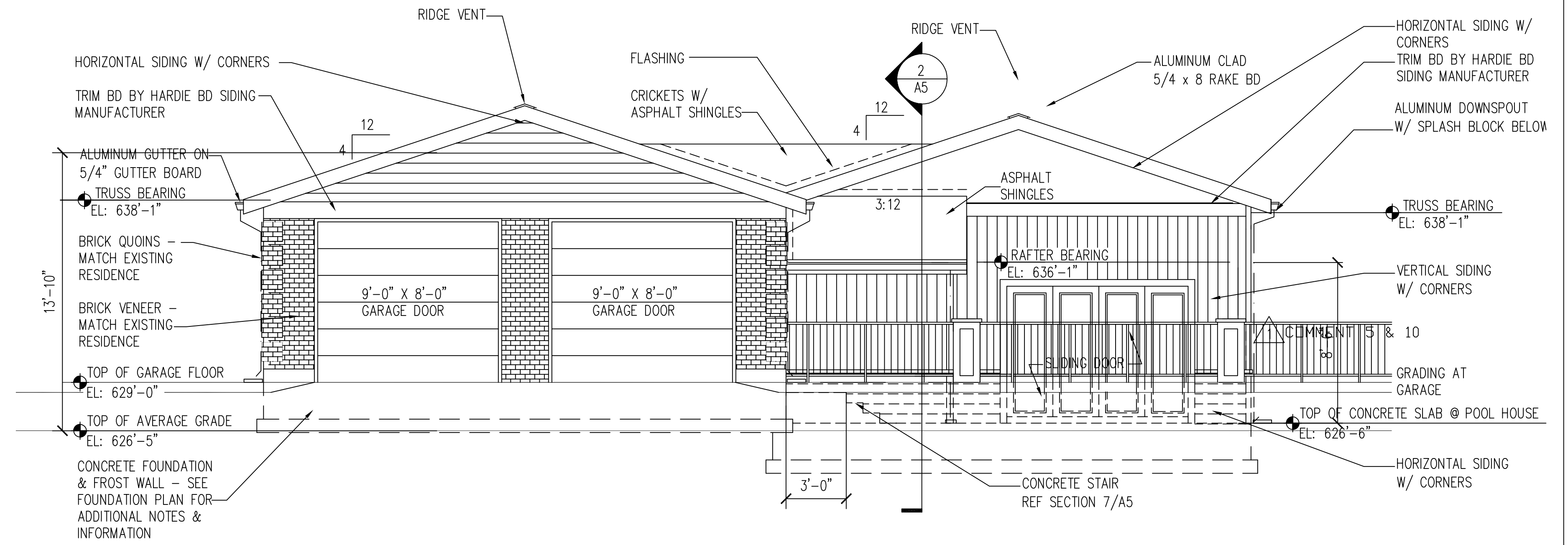
DATE:
March 1, 2021

SHEET NO.

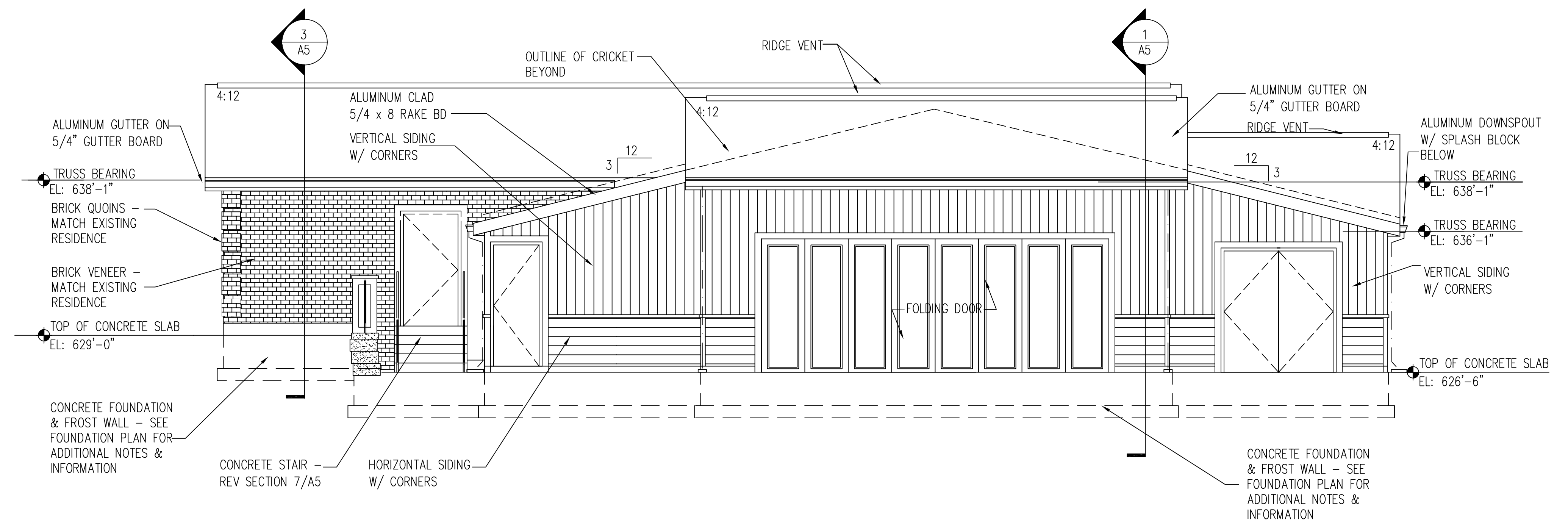
A-1



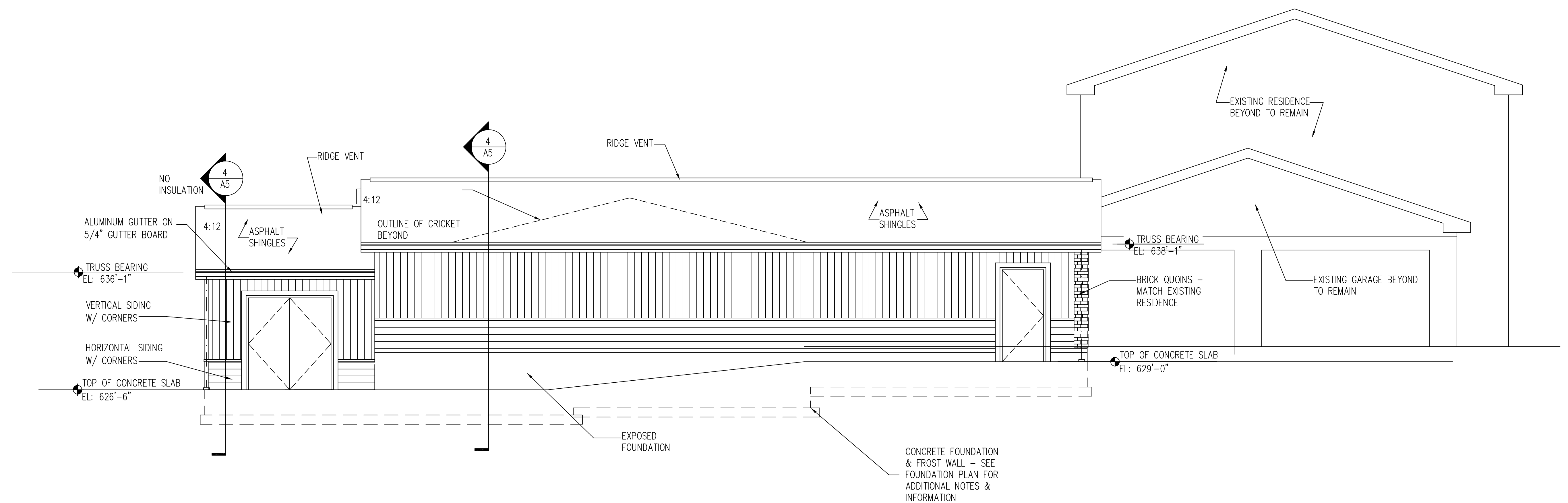




3 WEST ELEVATION CURRENT GRADE
A4 1/4" = 1'-0"



2 SOUTH ELEVATION
A4 1/4" = 1'-0"



1 NORTH ELEVATION W/ EXISTING GARAGE BEYOND
A4 1/4" = 1'-0"

MR ARCHITECT, P.C.
MICHAEL J. HOGAN
1038 Dovegate Dr
Kirkwood, MO 63122
mharchitects@gmail.com
Mo License Number 007647



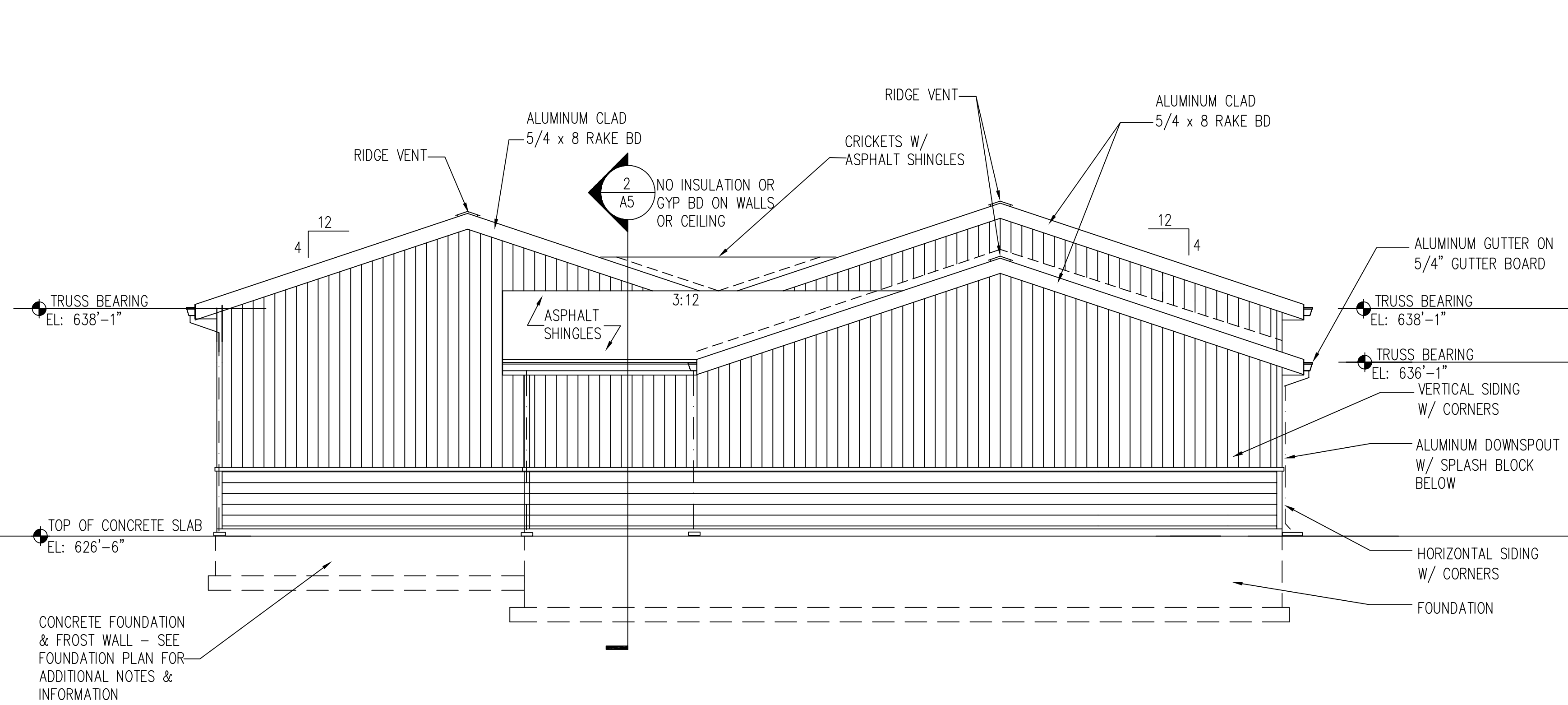
Attachment: Applicant Materials (108 N. Mosley Road Height Variance)

GARAGE/POOL HOUSE ADDITION
ERFLING RESIDENCE
108 N Mosley Rd
St. Louis MO 63141

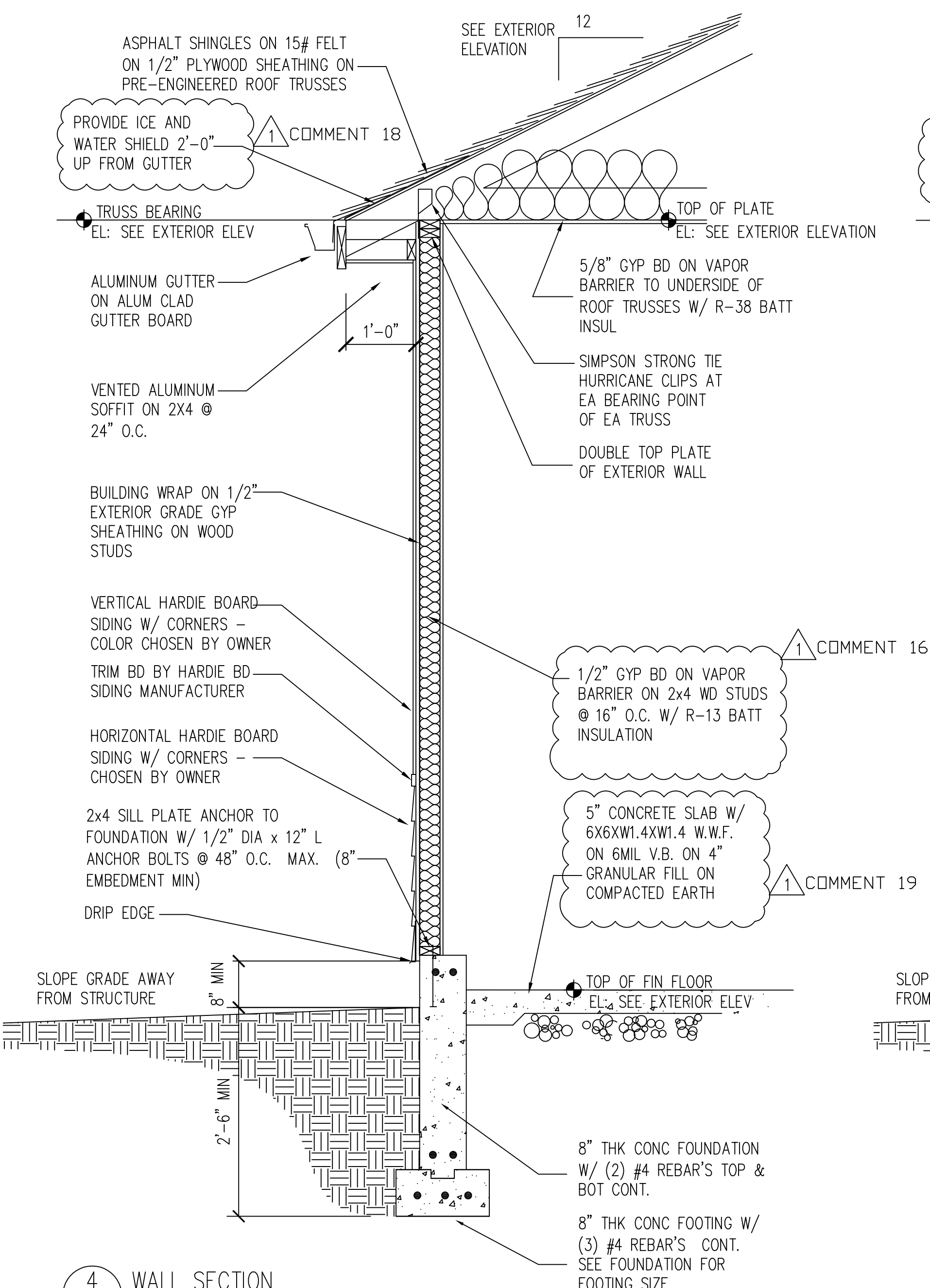
DATE:
March 1, 2021

SHEET NO.

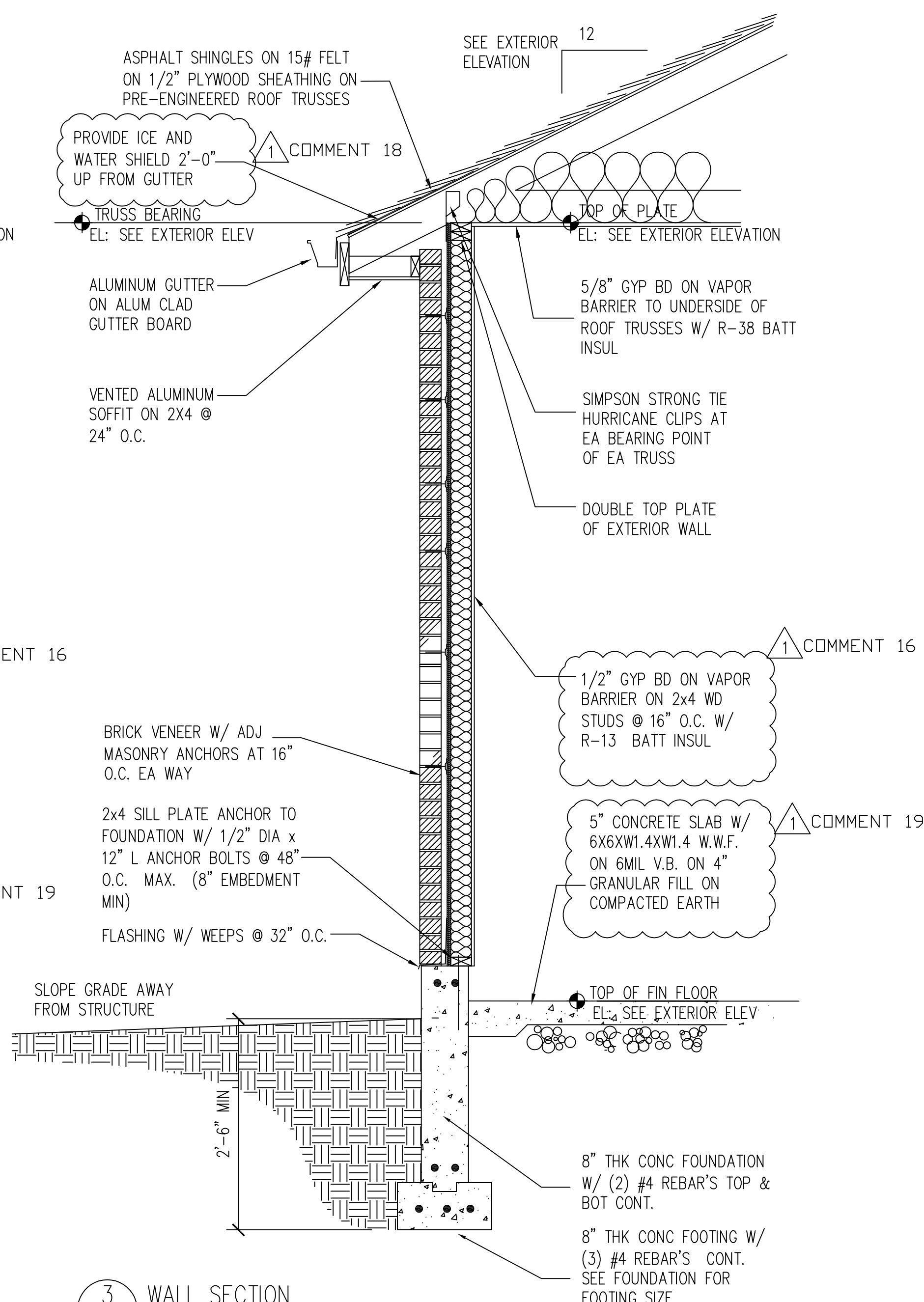
A-4



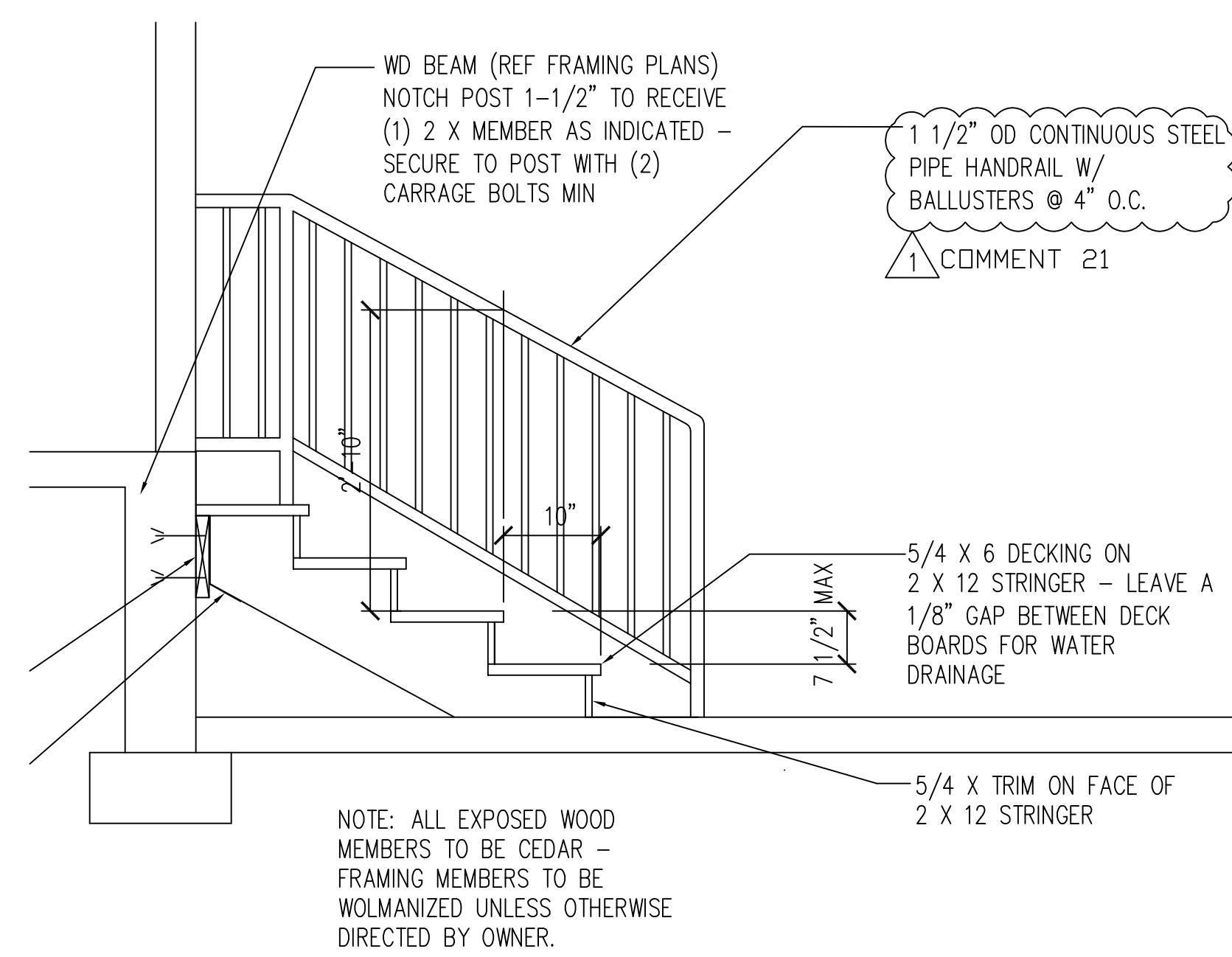
5 EAST ELEVATION
A5 1/4" = 1'-0"



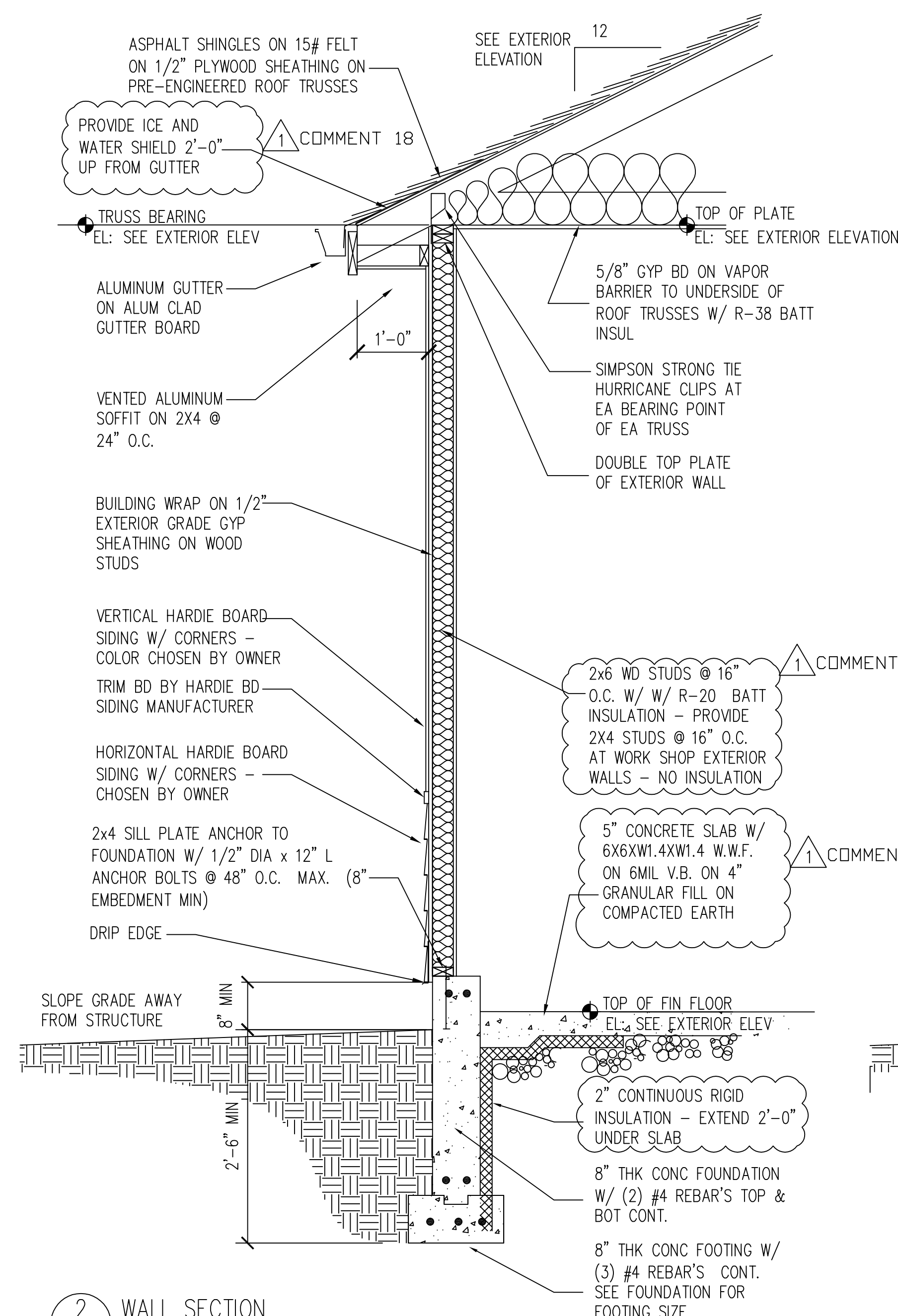
4 WALL SECTION
A5 3/4" = 1'-0"



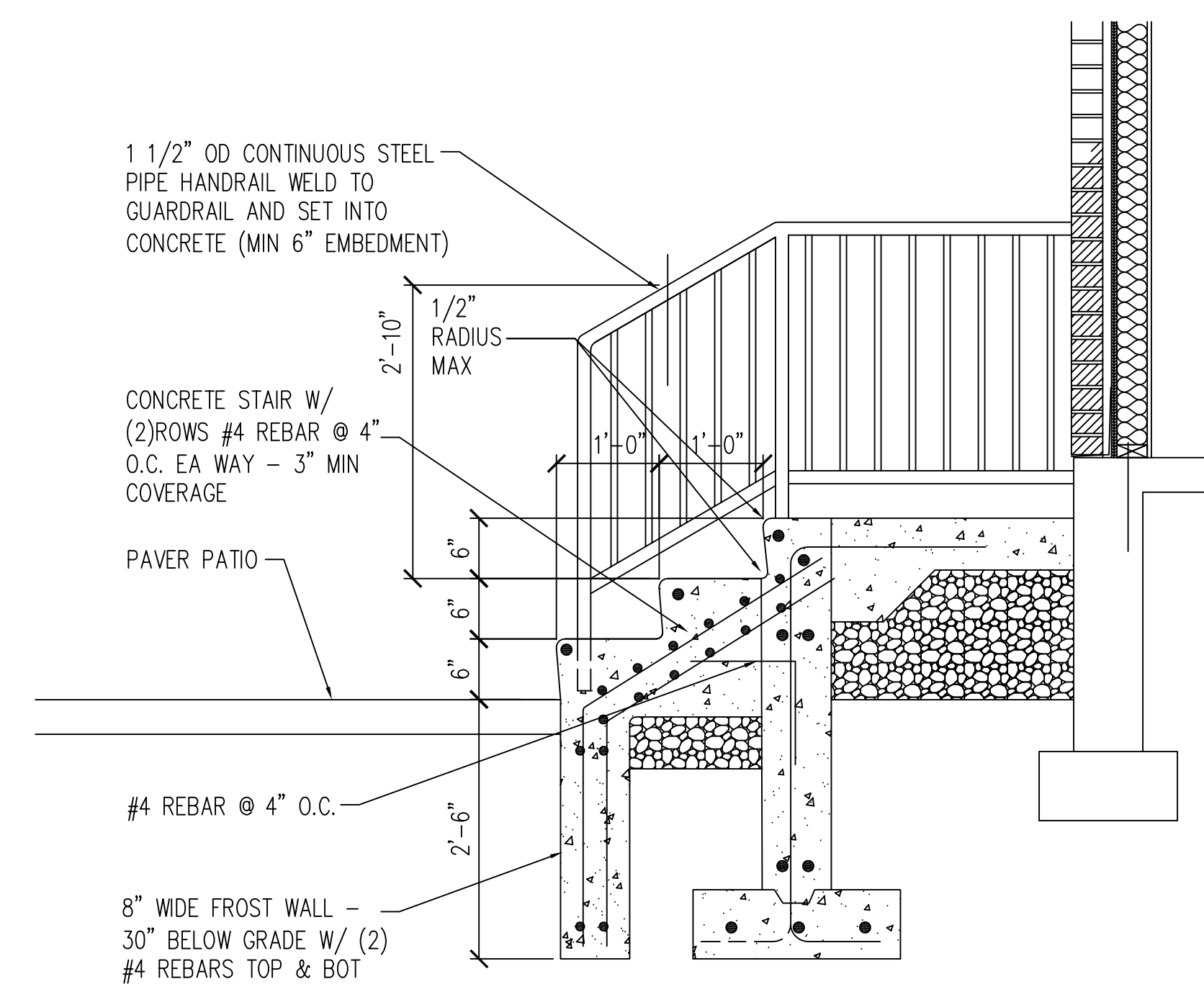
3 WALL SECTION
A5 3/4" = 1'-0"



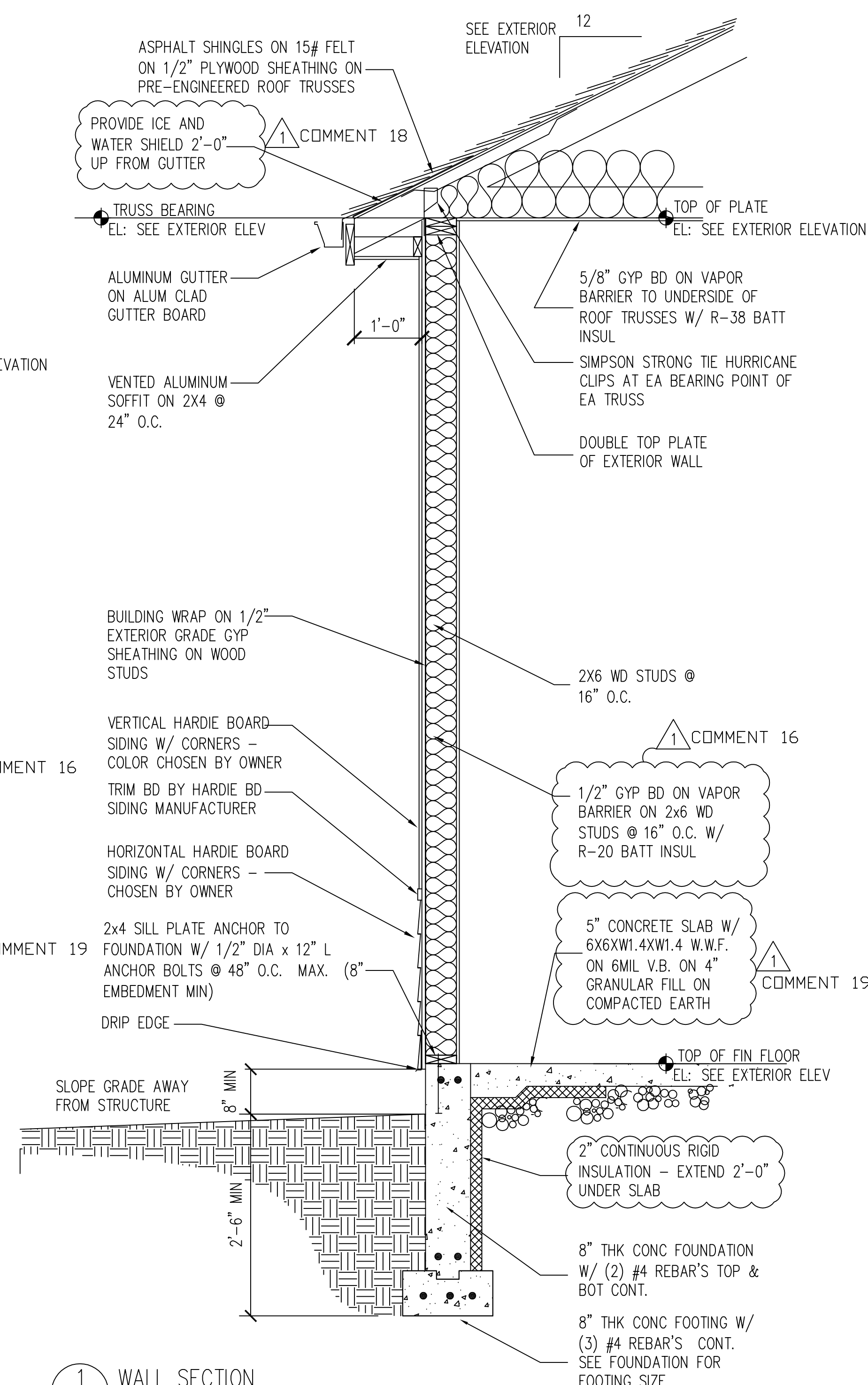
6 STAIR SECTION AT GARAGE TO STORAGE
A5 3/4" = 1'-0"



2 WALL SECTION
A5 3/4" = 1'-0"

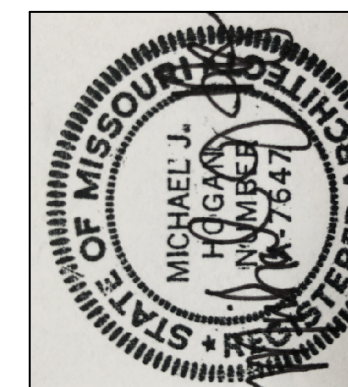


7 CONCRETE STAIR SECTION
A5 3/4" = 1'-0"



1 WALL SECTION
A5 3/4" = 1'-0"

MH ARCHITECT, P.C.
MICHAEL J. HOGAN
1038 Dovegate Dr.
Kirkwood, MO 63122
mharchitects@sigglobal.net
Mo License Number 007647



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A-5

SIMPLIFIED BRACING METHOD WHEN THE ENTIRE STRUCTURE IS SHEATHED WITH WOOD STRUCTURAL PANELS:

1. The building exterior walls are sheathed with 7/16" or thicker wood structural panels (plywood or OSB). The wood structural panels shall be applied to all exterior walls, gable ends, and band boards. All vertical joints between panels shall be blocked. Horizontal joints between panels on detached dwellings may remain unblocked.

2. Braced wall panels are located in every exterior braced wall line in accordance with the following criteria:

a. The outside edge of the first braced wall panel meeting the width established in the Table R602.10.10.3 shall be a maximum of 12"-6" or less from each end of the braced wall line. The outside stud of the first braced wall panels closest to the ends of the braced wall line shall be secured with a hold-down device securing the end stud to the foundation with a minimum uplift design value of 800 pounds.

Exception: The 800 pound hold down device is not required when the braced wall panel is placed at the end of the braced wall line and there is a 24" wide full height sheathed wall placed 90 degrees to the end of the braced wall line and panel.

b. The centerline spacing of braced wall panels in a braced wall line may not exceed 25'.

3. Braced wall panel locations are shown on the floor plans or the elevation views and meet the widths established in the Table R602.10.10.3:

SIMPLIFIED BRACING PANEL WIDTH R602.10.10.3

		WIDTH OF SOLID PANEL, a, b			
		8' WALL HEIGHT	9' WALL HEIGHT	10' WALL HEIGHT	12' WALL HEIGHT
PLYWOOD OSB PANEL	3:1	32"	36"	40"	48"
APA NARROW PORTAL WALL	6:1	16" d	18" d	20" d	24" d

a-Linear interpolation is permitted

b-Wall height is the vertical distance from the bottom of the sole/sill plate to the top of the double top plate. An additional 2" variation in height is allowed for pre cut stud framing.

c-The APA Narrow-Wall Panel, if applicable, shall be constructed in accordance with Figure 11 in the St. Louis County Appendix A One and Two Family Wind Bracing Guideline. The Design Professional shall provide this detail on the construction documents.

d-This APA Narrow Portal Wall width assumes the beam is placed under the top plate of the wall. One may compute the required width based on a 6:1 height to width ratio for a top of beam height located lower in the wall (i.e.: 20" Portal Wall can be used when the top of beam is at 10'-0" in a 12'-0" tall wall).

4. The exterior wall corners shall be constructed in accordance with the applicable detail figure R602.10.10.4

Exception: braced wall panels located in accordance with item 2

5. When the perpendicular distance between the exterior braced wall lines exceeds 50', the Registered Design Professional shall include the following certification on the drawings:

The interior and exterior wall configuration braces the structure in accordance with or equivalent to the lateral bracing provisions of Section R602.10 of the International Residential Code, 2015 edition or Section 2305 of the International Building Code, 2015 edition.

6. Wall height may not exceed 12' (12'-2" actual). Walls greater than 12' shall be designed and detailed by the engineer or architect to resist wind loads in both the longitudinal (racking and parallel) and transverse (perpendicular) directions.

exception: Structural calculations and details are not required in the following situations:

a. Longitudinal structural calculations are not required when there are no braced braced wall panels in that portion of a wall where the height exceeds 12 feet and that greater wall height segment is part of a prescriptive braced wall line on each of the adjacent stories.

b. Transverse structural calculations are not required if the wall exceeding 12'-2" complies with Table R602.3.1 of the 2015 International Residential Code (IRC).

Braced wall panel connections to floor and roof/ceiling assemblies shall comply with Sections R602.10.7 of the 2015 International Residential Code (IRC).

AMERICAN PLYWOOD ASSOCIATION NARROW WALLS

IF YOU WISH TO GET THE WINDOWS OR DOORS EVEN CLOSER TO THE CORNER, YOU MAY OPT TO USE AMERICAN PLYWOOD ASSOCIATION (APA) NARROW WALLS IN CONJUNCTION WITH THE CONTINUOUS SHEATHING METHOD. YOU MUST CONTINUOUSLY WOOD SHEATH YOUR STRUCTURE IN ORDER TO USE THIS OPTION. IN ADDITION, THE AMOUNT OF BRACED WALL PANELS IN THE BRACED WALL LINE SHALL MEET THE CRITERIA FOR BRACING METHOD 3 IN TABLE 2. THE ACTUAL WIDTH OF THE APA NARROW PANEL (S) MAY BE MULTIPLIED BY 1.5 WHEN CALCULATING THE EQUIVALENT WIDTH OF BRACED WALL PANELS. THIS EQUIVALENT WIDTH (IN INCHES) SHALL BE DIVIDED BY 48 TO DETERMINE THE NUMBER OF BRACED WALL PANELS. ONE SHOULD REFER TO TABLE 2 OF THE APPEX FOR THE NUMBER OF BRACED WALL PANELS USING BRACING METHOD 3.

EXAMPLE:
A BRACED WALL LINE USED THESE 16" WID APA NARROW WALL PANELS, TWO 48" WIDE 5/16" OSB, AND ONE 24" WIDE 5/16" OSB ADJACENT TO A 36" HIGH WINDOW (LESS THAN 65% IN WALL HEIGHT PER TABLE 3).

EQUIVALENT WIDTH OF THE APA WALL PANELS
TWO 48" WIDE 5/16" OSB
24" WIDE 5/16" OSB (MEETING TABLE 3).

192/48" 4 BRACED WALL PANELS

IF YOU CONSTRUCT YOUR CORNER PANELS IN STRICT CONFORMANCE TO THE APA METHODS, CONTINUOUSLY SHEATH THE REMAINDER OF YOUR STRUCTURE, AND OVERLAP THE SHEATHING AT THE CORNERS AS NOTED IN FIGURE 12 (USE FIGURE 10 DETAILS IF THE BRACED WALL PANEL IS NOT LOCATED AT THE CORNER), YOU CAN REDUCE THE WIDTH OF THE BRACED WALL TO THE DIMENSIONS ARE BASED ON MAINTAINING A 6:1 RATIO OF WALL HEIGHT TO CORNER PANEL WIDTH REGARDLESS OF THE HEIGHT OF THE ADJACENT WINDOW OR DOOR OPENING.

TABLE 5

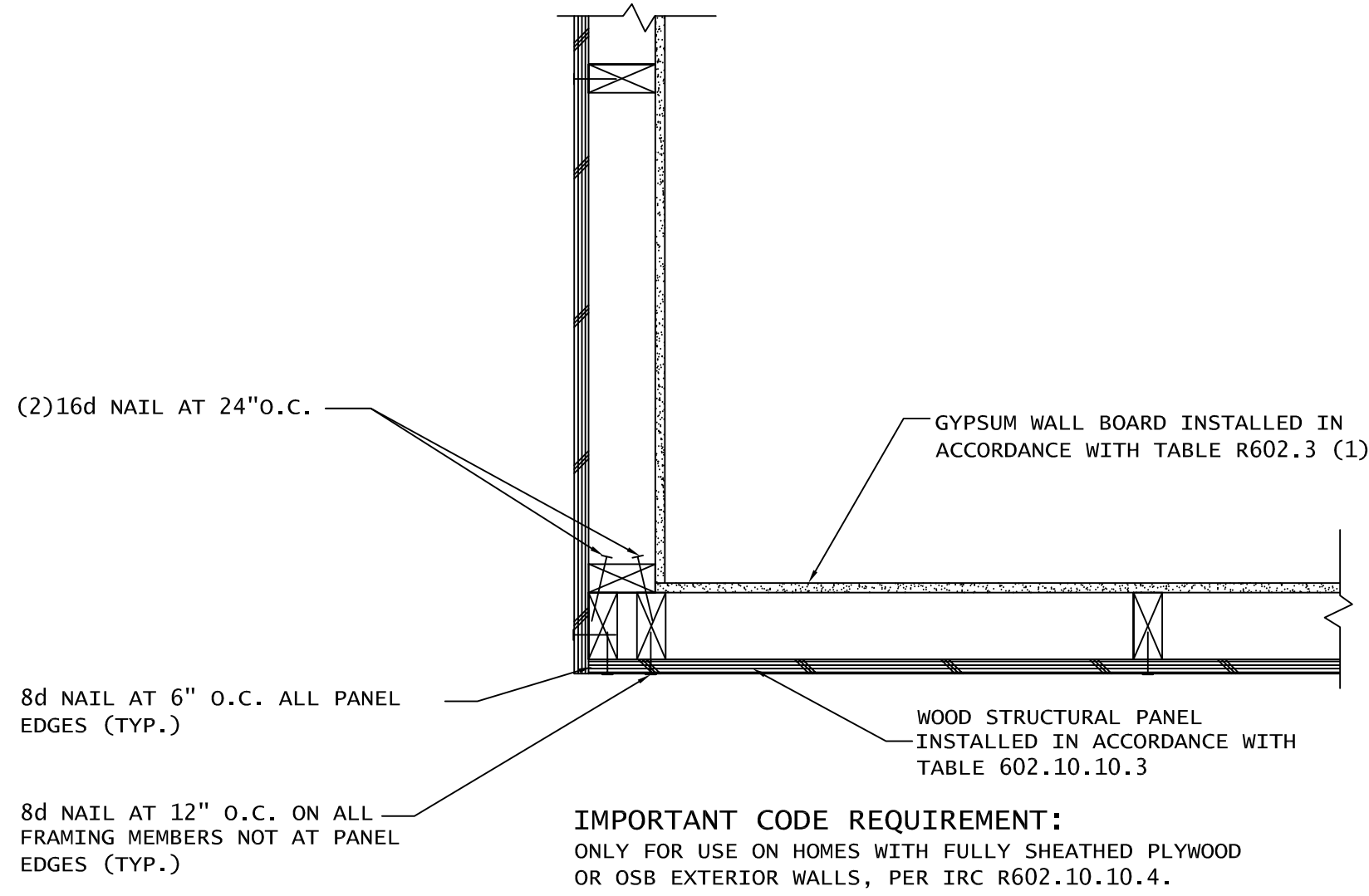
LENGTH OF SOLID PANEL AT CORNER		
8' WALL	9' WALL	10' WALL
16"	18"	20"

IF YOU CHOOSE TO USE THE APA NARROW WALLS, YOU MUST NOTE THEIR LOCATIONS ON YOUR BUILDING PLANS AND THE DETAILS NOTED FIGURES 10, 11, AND 12 MUST BE INCORPORATED INTO YOUR PLANS.

NOTE:

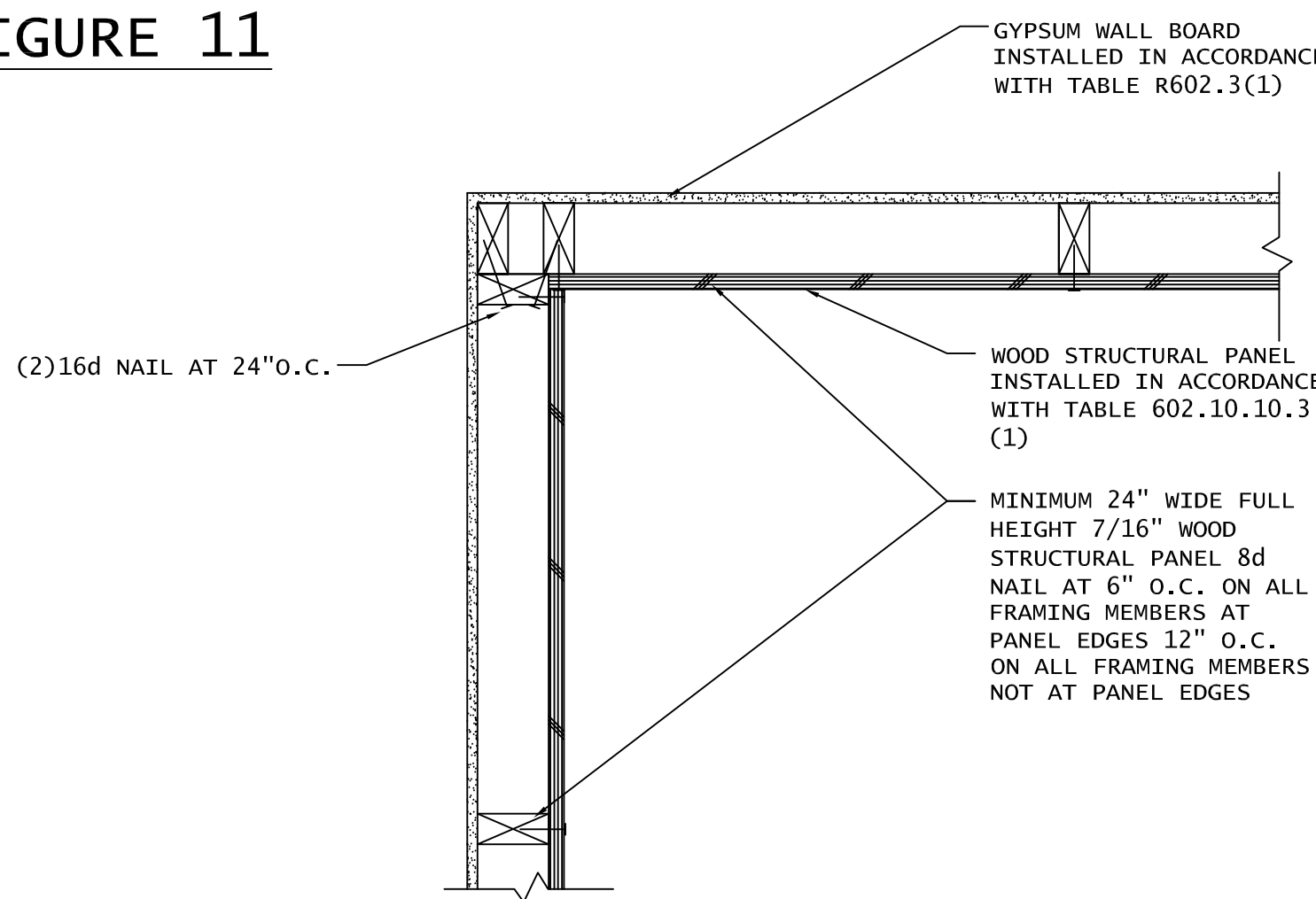
ALL EXTERIOR FRAMING TO COMPLY W/ 602.10 FULLY SHEATH ENTIRE BUILDING W/ 1/2" PLYWOOD OR OBC STRUCTURAL PANELS. UTILIZE NARROW WALL BRACING METHOD @ GARAGE DOOR OPENINGS AND @ PANELS LESS THAN 4'-0" WIDE PER 602.10.5 (SEE ATTACHED DETAILS).

FIGURE 10



10 EXAMPLE OF OUTSIDE CORNER DETAIL PER IRC R602.10.10.4

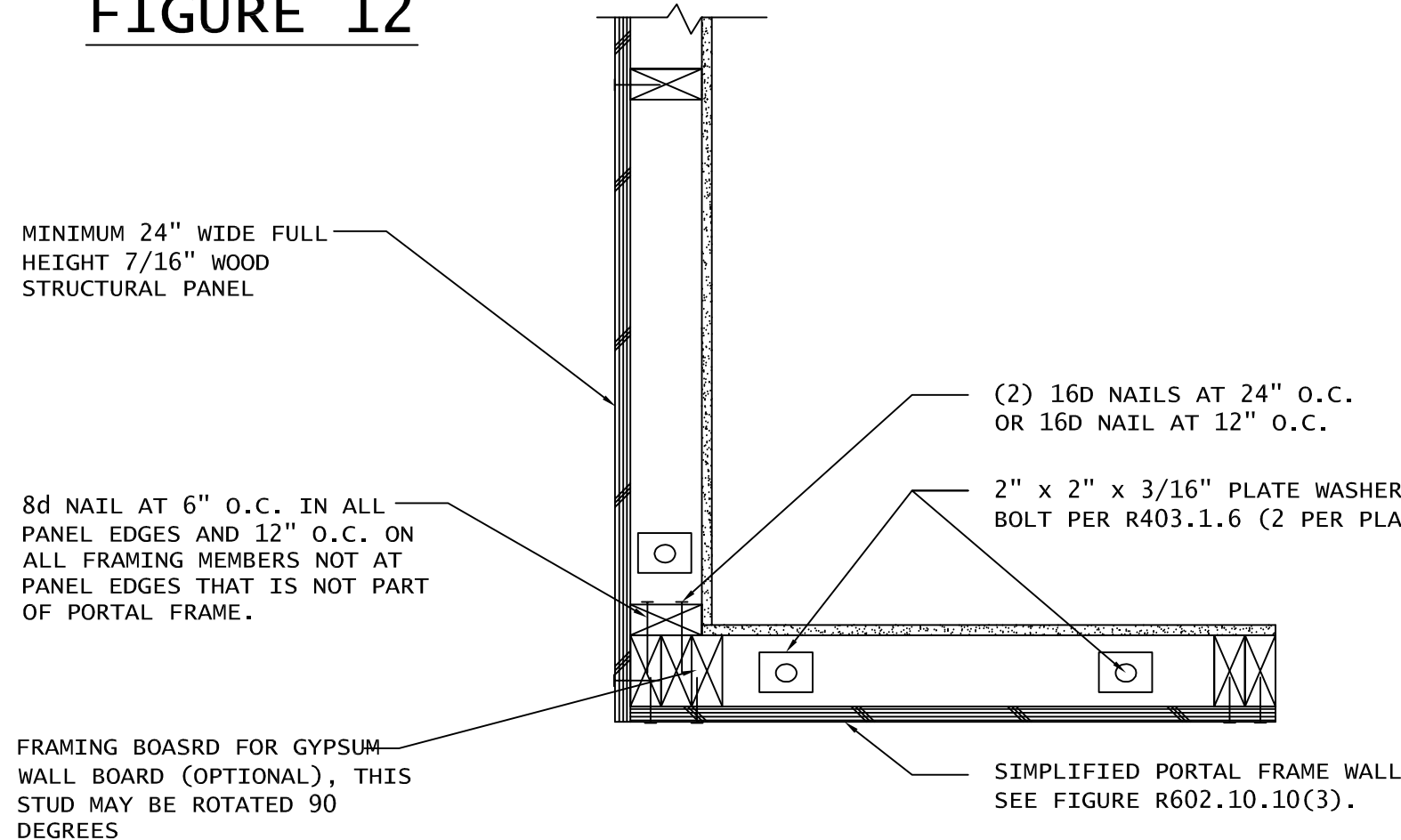
FIGURE 11



IMPORTANT CODE REQUIREMENT:
ONLY FOR USE ON HOMES WITH FULLY SHEATHED PLYWOOD OR OSB EXTERIOR WALLS, PER IRC R602.10.4.

11 EXAMPLE OF INSIDE CORNER DETAIL PER IRC R602.10.10.4

FIGURE 12



12 CORNER DETAIL USED IN CONJUNCTION WITH SIMPLIFIED PORTAL WALL 6:1 APECT RATIO FRAME. PER IRC R602.10.10.4 SIMPLIFIED BRACING EXTERIOR CORNER FRAMING

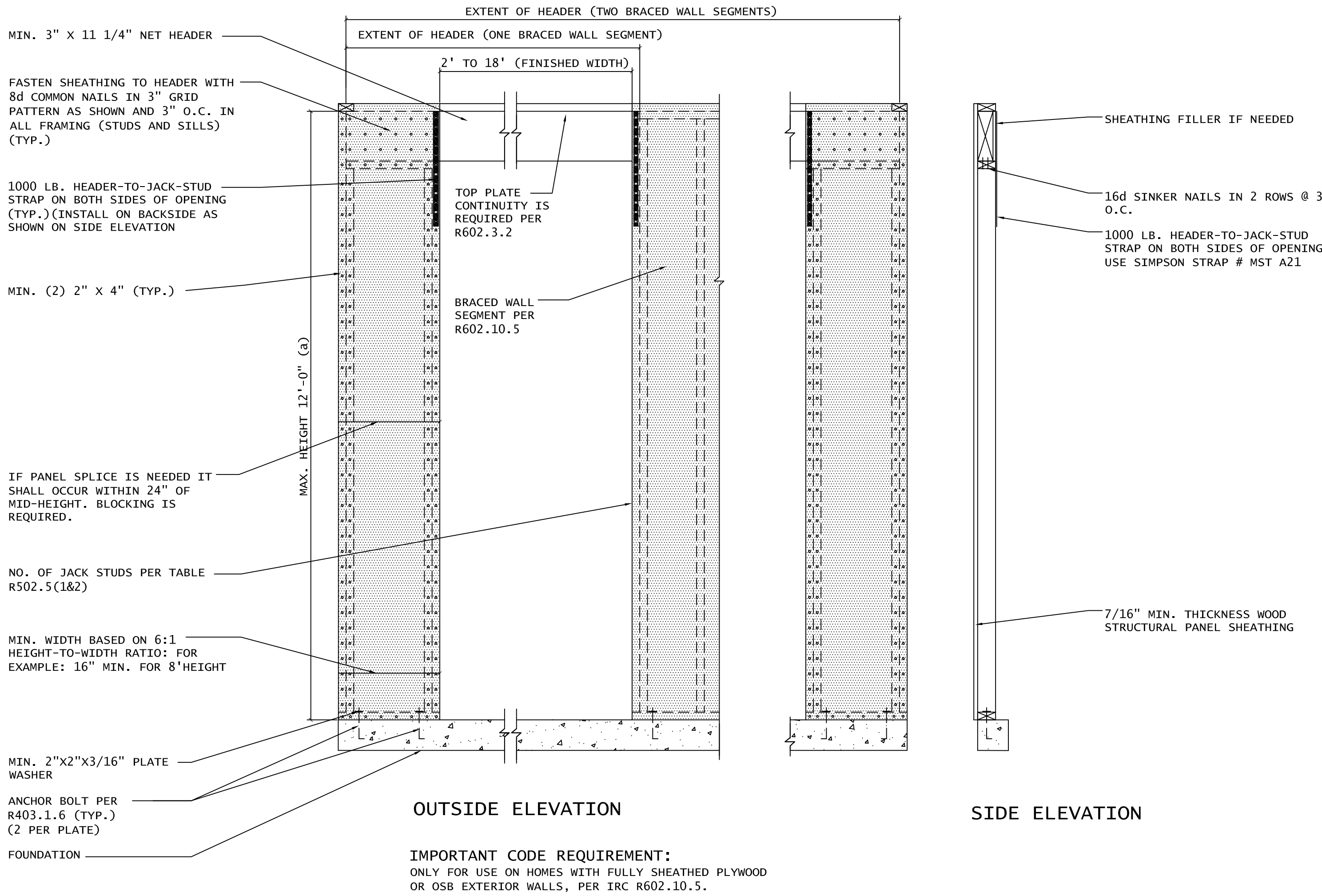
LISTED PRODUCTS:

PROPRIETARY SYSTEMS ARE PRE-DESIGNED, PRE-MANUFACTURED BRACING PANELS THAT CAN BE USED AS PART OF THE BUILDING'S LATERAL LOAD RESISTING SYSTEM. ACCEPTABLE PRODUCTS IN ST. LOUIS COUNTY ARE THOSE "LISTED" BY A NATIONALLY RECOGNIZED INDEPENDENT TESTING LABORATORY CERTIFIED BY THE INTERNATIONAL ACCREDITATION SERVICE TO CONDUCT TESTS RELATED TO INTERNATIONAL CODE COUNCIL-EVALUATION SERVICE (ICC-ES) ACCEPTANCE CRITERIA. THE INTERNATIONAL CODE COUNCIL - EVALUATION SERVICE (ICC-ES) REPORT MUST CLEARLY INDICATE THE PROPRIETARY SYSTEM IS ACCEPTABLE AS A BRACE WALL PANEL UNDER SECTION R602.10 OF THE INTERNATIONAL RESIDENTIAL CODE / 2015. REPORTS FOR THESE PROPRIETARY SYSTEMS MAY BE FOUND AT WWW.ICC-ES.ORG.

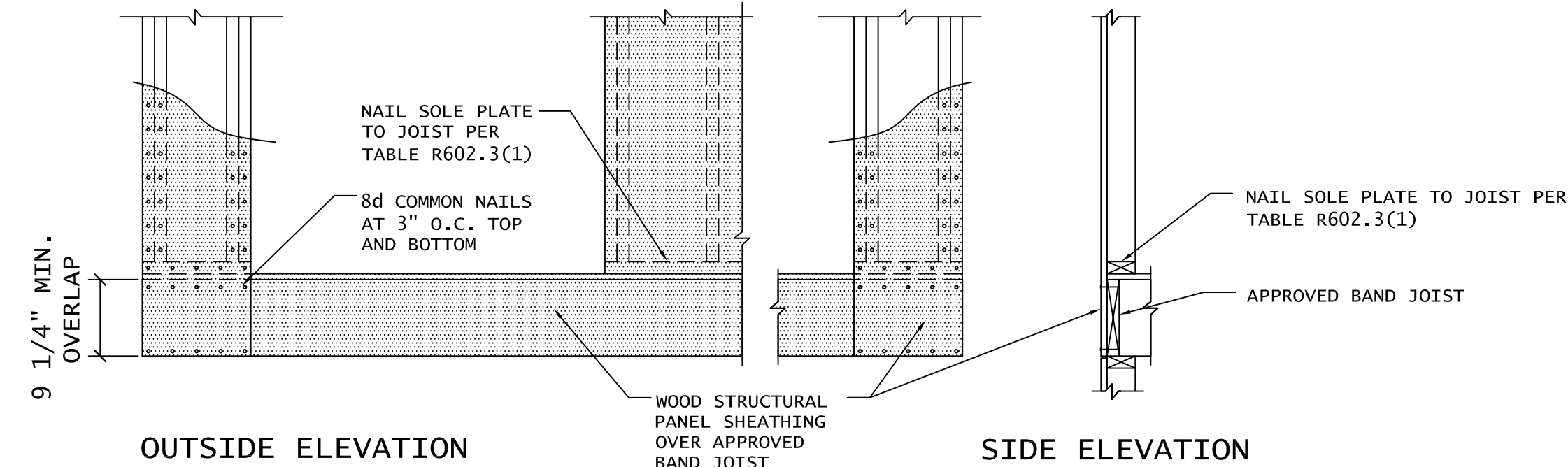
ENGINEERED DESIGN
INTERNATIONAL BUILDING CODE

IF YOU WISH TO DEViate FROM THE PRESCRIPTIVE REQUIREMENTS FO THE INTERNATIONAL RESIDENTIAL CODE SECTION R602.10, THEN YOU MUST HAVE THE LATERAL LOAD RESISTING SYSTEM OF YOUR BUILDING DESIGNED BY A REGISTERED DESIGN PROFESSIONAL LICENSED IN THE STATE OF MISSOURI.

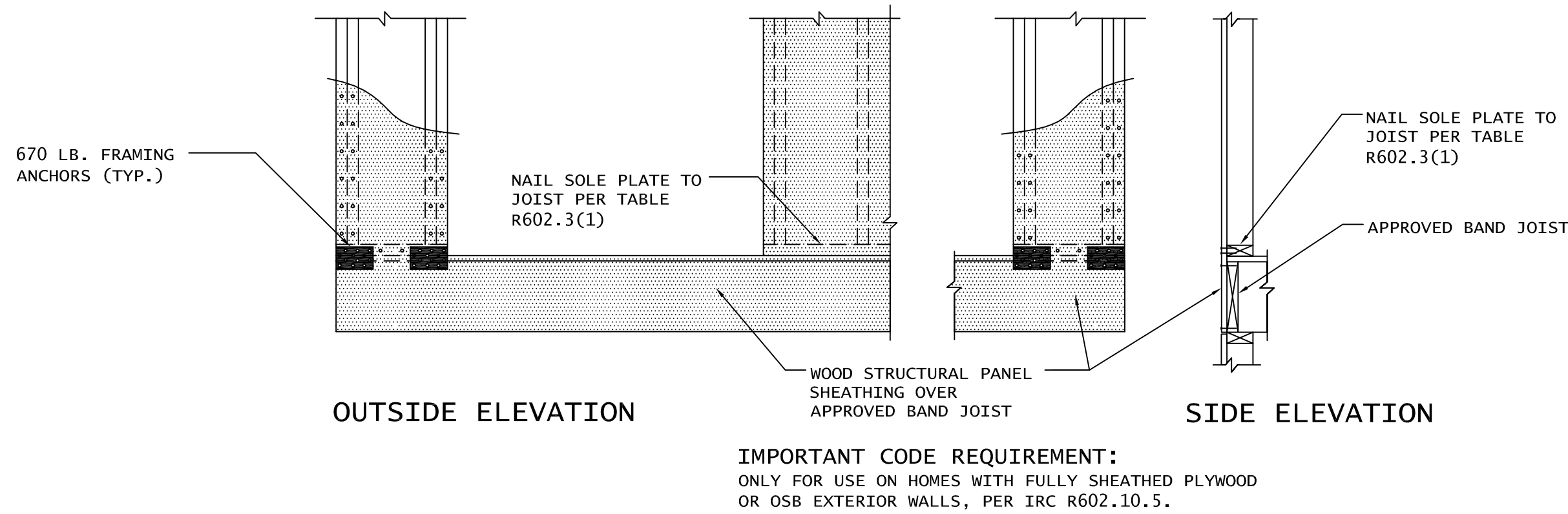
TO DETERMINE WIND LOAD, THE CALCULATIONS MUST FOLLOW THE REQUIREMENTS OF SECTION 1609 OF THE INTERNATIONAL BUILDING CODE (IBC). THE BASIC WIND SPEED FOR ST. LOUIS COUNTY IS 90 MPH. PLEASE NOTE: WIND LOAD MUST BE APPLIED TO BOTH WINDWARD AND LEeward SIDES SIMULTANEOUSLY.



13 SIMPLIFIED PORTAL WALL R602.10.10.3 OVER CONCRETE OR MASONRY BLOCK FOUNDATION



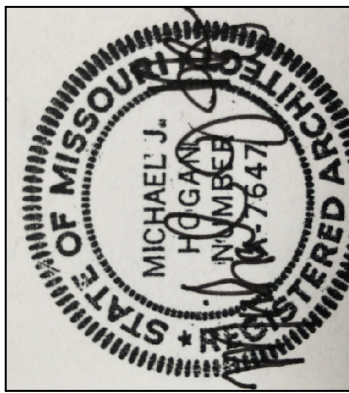
14 OVER RAISED WOOD FLOOR OR SECOND FLOOR (WOOD STRUCTURAL PANEL OVERLAP OPTION)



15 SIMPLIFIED PORTAL WALL R602.10.10.3 OVER RAISED WOOD FLOOR OR SECOND FLOOR (FRAMING ANCHOR OPTION)

CRIPPLE WALL FRAMING CONSISTING OF STUD FRAMING, SINGLE BOTTOM PLATE, AND DOUBLE TOP PLATE MAY BE ADDED TO THE TOP OF THE APA NARROW PORTAL WALL AS LONG AS THE COMBINED HEIGHT OF THE TWO WALLS IS LESS THAN ARE EQUAL TO 12" AND THE TWO WALLS ARE STRAPPED TOGETHER ON THE INTERIOR SIDE WITH A VERTICAL 16 GAUGE METAL 1 1/2" IN WIDE BY 21" LONG STRAP. A MINIMUM OF 10" OF THE STRAP SHALL BE CONNECTED TO EACH WALL OR GABLE TRUSS WITH 9-16d NAILS FOR A TOTAL OF 18-16d NAILS IN THE ENTIRE STRAP. STRAPS SHALL BE LOCATED AT EACH END OF THE CONNECTED WALLS OR WALL AND GABLE TRUSS WHERE SPACE ALLOWS FOR THE 10" LENGTH OF STRAP. THE SPACING BETWEEN THE STRAPS MAY NOT EXCEED 4' ON THE CENTER. THE STRAPS SHALL NOT BE BENT HORIZONTALLY TO ACCOMMODATE WOOD FRAMING. IF APPLICABLE, NAILERS SHOULD BE ADDED TO ONE OF THE WALLS OR GABLE END USING A MINIMUM OF 9-16d NAILS TO CREATE THE VERTICAL PLANE NEEDED TO MOUNT THE STRAP.

MH ARCHITECT, P.C.
MICHAEL J. HOGAN
1038 Dovegate Dr.
Kirkwood, MO 63122
mharchitects@sigglobal.net
Mo License Number 007647



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SHEET NO.

4.1.c

Attachment: IMG_1981 (108 N. Mosley Road Height



Packet Pg. 26

4.1.d



Attachment: IMG_1984 (108 N. Mosley Road Height

Packet Pg. 27

4.1.e



Attachment: IMG_1985 (108 N. Mosley Road Height

Packet Pg. 28



4.1.g

Attachment: IMG_1990 (108 N. Mosley Road Height

Packet Pg. 30