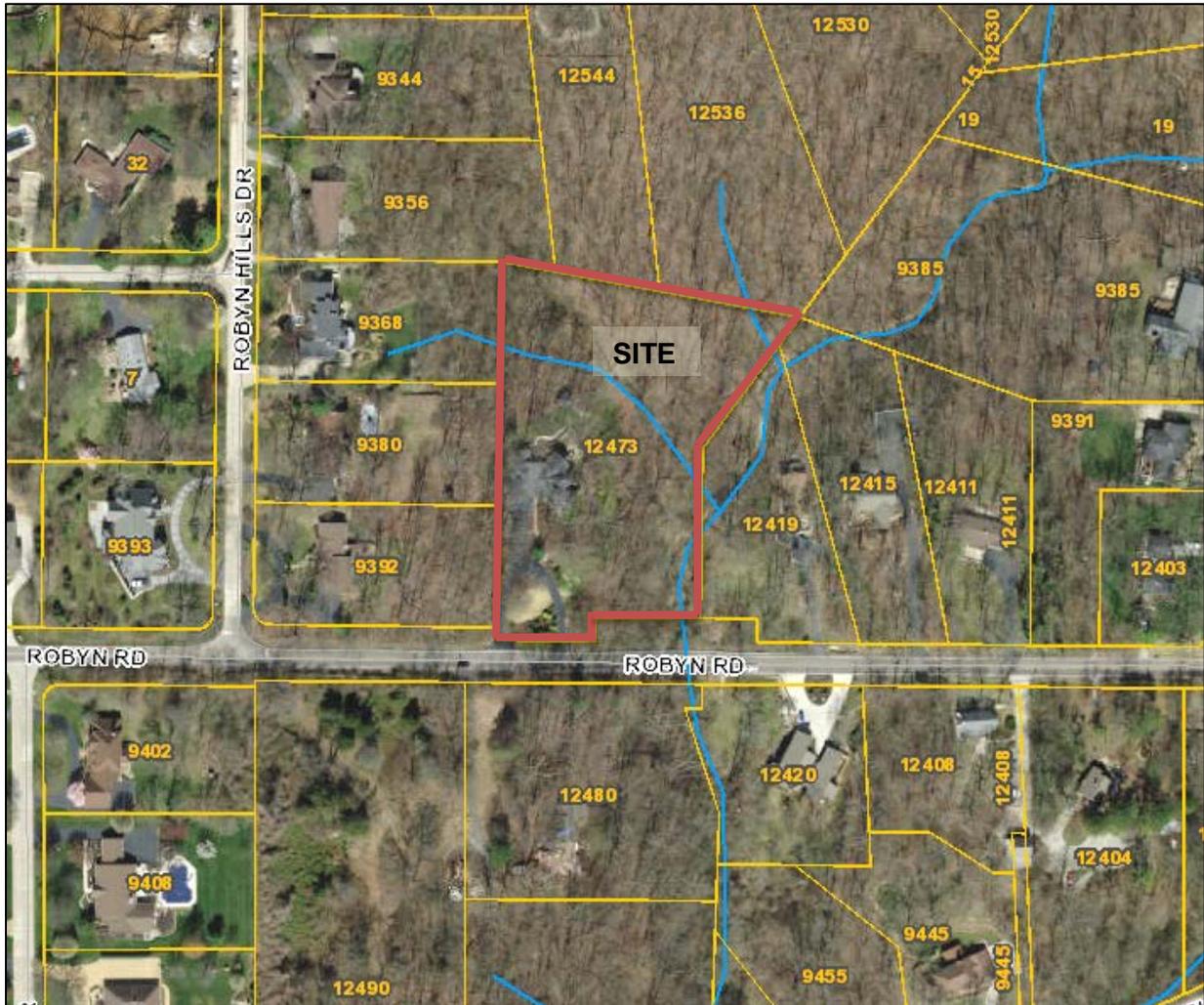


A-11-19

Title: Appeal, submitted by submitted by Carl & Barbara Uhlig, to allow an accessory structure in front of the principal structure for the construction of a detached garage at 12473 Robyn Road.

Owners: Carl & Barbara Uhlig
12473 Robyn Road
St Louis, Missouri 63127

Date: August 2019



* Maps are for informational use only. Not a representation of the project.

Summary:

This Appeal is to vary the requirement in Appendix B Zoning Regulations, Section 5.12-2A, which states:

- 1) All accessory structures and uses shall be located behind the rear of the principal building.

The property is located on the north side of Robyn Road, approximately 450 feet east of Robyn Hills Drive. The property is currently zoned R-1 Single Family Residential-1 acre minimum lot size. All surrounding properties are also zoned R-1.

Staff analysis:

There is an existing residence on this property, which was built in 1977 and is approximately 155 feet from the front property line. The petitioners wish to construct a detached garage along the existing driveway, in front of the residence. Per Appendix B Zoning Regulations, Section 5.12-2(A)1, all accessory structures shall be located behind the rear of the principal building. Additionally, a variance from the front setback is required for a portion of the proposed garage (See A-12-19).

Although this property consists of 2.7 acres, the petitioner will explain several issues that restrict the buildable area.

1. The property is affected by a stream (shown on the aerial photo above). Per Chapter 27-105a1: an undisturbed natural vegetative buffer shall be maintained for twenty-five (25) feet, measured horizontally, on both banks (as applicable) of the stream as measured from the top of the stream bank.
2. There are multiple easements affecting the property.
3. The property is heavily wooded and in an effort to limit tree removal, the garage is proposed to be built in a previously cleared area.
4. The right of way along a portion of the property widens from fifty feet (50') to eighty feet (80').

All other requirements of Appendix B would be met, including:

Section 4.4-4(F): For any one family or two family dwelling there shall be permitted one detached garage or covered carport. The detached garage or carport space shall not exceed two hundred fifty (250) square feet for each three thousand (3,000) square feet of lot area; provided, that in no event shall such area exceed a total of one thousand two hundred (1,200) square feet or fifty (50) percent of the square footage of the footprint of the residence plus attached garage whichever is smaller.

The garage is proposed to be 1,120 square feet and meet the above requirement.

Detached garage roofline cannot exceed the height of the residence or twenty-four (24) feet whichever is less.

The garage is proposed to be eighteen feet (18') tall and meet the above requirement.

Detached and attached garages must be built in a style compatible to and of similar material as the existing residence. Exterior appearance shall be compatible with residential construction. Pre-engineered metal buildings are not compatible with residential construction.

The garage is proposed to be of similar style as the existing residence.

In all areas, no entry door on an attached or detached garage or accessory or storage structure can be taller than nine (9) feet.

The garage is proposed to have one (1) seven-foot (7') garage door and two (2) eight-foot (8') garage doors, all of them would meet the above requirement.

Per Appendix B Zoning Regulations, Section 9.3-2 Findings: The Board of Adjustment may grant variances from the strict application of this Ordinance when by reason of the strict application of this Ordinance or Amendments thereto would result in unusual difficulty or unreasonable hardship upon the owner of said property; provided that such variance can be granted without substantial impairment of the intent, purpose and integrity of this ordinance. It is further provided that this provision shall not permit the board of adjustment to permit a use of land not authorized by the provisions of this ordinance for a specific zoning district or to increase the height or volume of a building or structure or to increase the density of development beyond that permitted by this ordinance for any particular zoning district.

Before granting a variance, there must be a finding by the Board of Adjustment that all of the following conditions exist:

- (A) That if the owner complied with the provisions of this ordinance, the owner would not be able to make any reasonable use of the property which is permitted in the district in which the property is located.

If the owner complied with the provisions of this ordinance, they would be able to make use of the property as it currently exists.

- (B) That the difficulties or hardships are peculiar to the property in question in contrast with those of other properties in the same district.

The difficulties and hardships could be considered peculiar to this property. The residence is approximately 155 feet from the front property line, creating a larger than average front yard. The stream, along with the twenty-five foot (25') stream buffer requirement and easements further limit the buildable area.

- (C) That the hardship was not the result of the applicant's own action and is not merely financial or pecuniary.

The hardship is the result of the applicant's own action. The hardship is not financial or pecuniary.

- (D) That the issuance of a variance will not be detrimental to the public welfare or health or injurious to other property.

Based on the information provided by the petitioner, this variance should not be detrimental to the public welfare or health or injurious to other property.

If the Board believes that application of this Ordinance would result in unusual difficulty or unreasonable hardship upon the owner of said property, this appeal should be approved.