

# A-05-21

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**Title:** Appeal, submitted by Louis Henry, to vary the maximum size of a detached garage from 1,200 square feet to 1,800 square feet for an existing detached garage at 9255 Robyn Road (per Appendix B, Section 4.4-4F).

**Owner:** Joseph & Shannon Vogel  
2001 Grants Valley Lane  
Imperial, Missouri 63052

**Date:** March 2021



\*Map is for informational use only and is not a representation of the project.

**Summary:**

This Appeal is to vary the maximum size allowed for a detached garage from 1,200 square feet to 1,800 square feet for an existing detached garage at 9255 Robyn Road. The property is located on the north side of Robyn Road, approximately 650 feet southwest of South Lindbergh Boulevard. The property is currently zoned R-2 Single Family Residential–20,000 square foot minimum lot size. The property to the southeast is zoned R-1 Single Family Residential–1 acre minimum lot size. All other surrounding properties are zoned R-2.

**Staff analysis:**

This Appeal is to vary the maximum size allowed for a detached garage from 1,200 square feet to 1,800 square feet for an existing detached garage. Appendix B Zoning Regulations, Section 4.4-4F states: 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.

Until the property was included in a Minor Subdivision last year, the structure was considered legally non-conforming. At the time the property configuration changed, the structure lost its non-conforming status. When the Minor Subdivision was approved (see Ord 2177), a condition was included that applies to the structure:

1. A variance must be approved by the Board of Adjustment for the size of the accessory structure on Proposed Lot 4.

Approval of this Appeal would allow the structure to remain on the property at its current size.

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 the property. The detached garage is existing.

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

The hardship is not the result of the applicant's own action. The detached garage is existing.

- (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. If approved, staff recommends two (2) conditions:

1. The structure must not be used for any business activity.
2. The residence must be built in a style compatible to and of similar material as the existing structure.