

A-06-21

Title: Appeal, submitted by Deanna Violette, to vary the front setback from the required thirty feet (30') to twenty-six feet (26') for the construction of an attached garage addition at 9436 Oakwood Manor Lane (per Appendix B, Section 4.6-B1a)

Owner: Violette Revocable Trust
9436 Oakwood Manor Lane
St Louis, Missouri 63126

Date: March 2021



*Map is for informational use only. Not a representation of the project.

Summary:

This Appeal is to vary the front setback from the required thirty feet (30') to twenty-six feet (26') for the construction of an attached garage addition at 9436 Oakwood Manor Lane. The property is located on the east side of Oakwood Manor Lane, approximately 600 feet south of Denny Road. The property is currently zoned R-4 Single Family Residential – 10,000 square foot minimum lot size. The property to the southeast is zoned C-1 Commercial. All other surrounding properties are zoned R-4.

Staff analysis:

There is an existing residence on this property, which was constructed circa 1959 and is approximately fifty feet (50') from the front property line. The proposed garage addition would be twenty-six feet (26') from the front property line. Per Appendix B Zoning Regulations, Section 4.6-B1a, the required front setback is thirty feet (30').

All other requirements would be met by this project, including:

1. An attached garage cannot be larger than fifty percent (50%) of the square footage of the footprint of the living space of the residence and cannot have a roof line taller than the existing residence.
2. 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.
3. In all areas, no entry door on an attached or detached garage or accessory or storage structure can be taller than nine feet (9').

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 owners complied with the provisions of this Ordinance, they would be able to make reasonable use of the property. The addition is not necessary for reasonable use of the residential property.

- (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 are not peculiar to this property.

- (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 we have, 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.