

A-07-21

Title: Appeal, submitted by Deanna Violette, to allow the use of grass pavers as an alternative to concrete or asphalt for a new driveway at 9436 Oakwood Manor Lane (per Appendix B, Section 6.3-1A1).

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 allow the use of grass pavers as an alternative to concrete or asphalt for a new driveway 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 petitioner is proposing to construct an attached garage addition that would be twenty-six feet (26') from the front property line (see A-06-21). As part of that project, a new driveway is also proposed. As the petitioner will explain, they wish to use grass pavers instead of the required materials. Appendix B Zoning Regulations, Section 6.3-1A1 states: Parking areas: All open off-street parking areas and driveways, except required parking spaces accessory to single-family dwellings, shall be graded and paved with a durable dust-free and hard material, such as bituminous hot mix or portland cement concrete, or approved comparable material over a compacted gravel base of not less than four (4) inches thick. Off-street parking areas for single-family dwellings shall be paved as specified above or with gravel or crushed stone. All parking areas and driveways shall be properly drained to avoid standing water or damage to adjacent property.

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.

- (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.

While this Appeal does not have an obvious hardship, staff supports the petitioner's desire to create a surface that has the potential to lessen water runoff into the public right of way or onto neighboring properties.

If this Appeal is approved, staff requests the condition that if the grass paver system is found to be in failure and the property owner (present or future) must replace it with materials required in Appendix B Section 6.3-1A1.