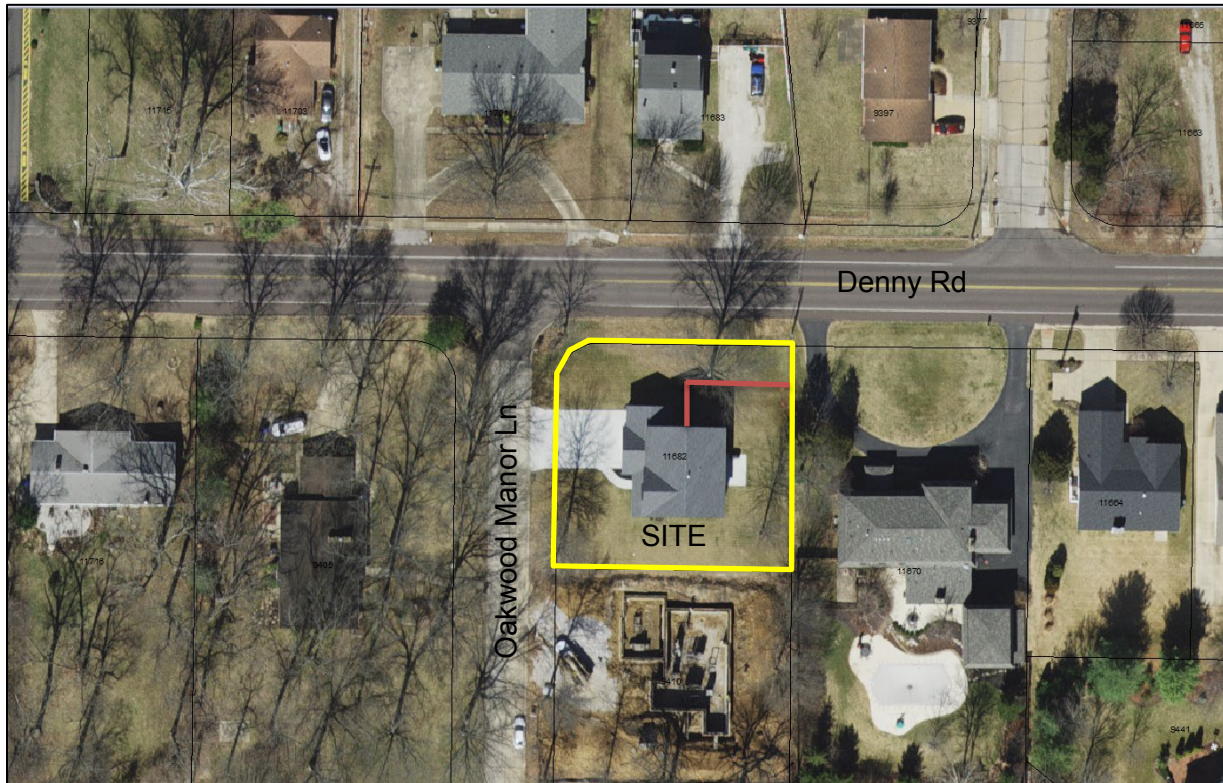


A-13-22

Title: Request for variance, submitted by Matt Willett, to allow placement of a fence over four feet (4') in height in the front yard at 11682 Denny Road (Per Appendix B, Section 5.14-2A2).

Owners: Matt & Kari Willett
11682 Denny Road
St Louis, Missouri 63126

Date: April 2022



* Maps are for informational use only. Not a representation of the project. — Approximate area of variance request

Summary:

This request is to allow the placement of a fence over four feet (4') tall in the front yard at 11682 Denny Road. The property is located on the southeast corner of Denny Road and Oakwood Manor Lane. The property is currently zoned R-4 Single Family Residential – 10,000 square foot minimum lot size. All surrounding properties are also zoned R-4.

Staff analysis:

The residence on this property was constructed in 2019. The property owners would like to install a fence, which would encroach into the front yard. Appendix B Zoning Regulations, Section 5.14-2A2 states the following: Fences, having a height of not more than six (6) feet, are permitted in the rear and side yards, provided that *a fence, greater than four (4) feet in height, shall not extend beyond either the established front face (oriented to either street) of the principal building on the lot or the principal building on the adjoining lot, whichever is closest to the street.*

The fence is proposed to encompass an area beyond the “front face of the principal building”. The fence would also exceed the four foot (4') allowance for a fence in the front yard. The fence is proposed to be a four and one-half feet (4 ½') tall alluminum picket fence. All other zoning requirements would be met by the project.

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. What is used as a side yard is required to meet the requirements of a front yard, due to the property being on a corner.

- (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.