

# A-30-22

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**Title:** Request for variance, submitted by Jacob Sunroom & Exteriors, to vary the rear setback from the required thirty feet (30') to twenty eight feet (28') for a room addition at 10623 Tioga Court (Per Appendix B, Section 4.5-4B1c).

**Owners:** Michael & Laura Augustine  
10623 Tioga Court  
St Louis, Missouri 63128

**Date:** August 2022



\* Maps are for informational use only. Not a representation of the project. ■ Approximate shed location

**Summary:**

This request is to vary the rear setback from the required thirty feet (30') to twenty-eight feet (28') for the construction of a room addition at 10623 Tioga Court. The property is located on the north side of Tioga Court, approximately 315 feet west of Sappington Road. The property is currently zoned R-3 Single Family Residential – 15,000 square foot minimum lot size. All surround properties are zoned R-3.

**Project overview:**

- Location: 10623 Tioga Court; Seneca Estates, Lot 4.
- Existing zoning: R-3 Single Family Residential – 15,000 square foot minimum lot size.
- Requirement from which variation is being sought: Appendix B, Section 4.5-4B1c.
- Requirement: The rear setback for the primary structure and all attachments in the R-3 Zoning District is thirty feet (30').
- Requested setback: The room addition is proposed to be twenty-eight feet (28') from the rear property line.

**Staff analysis:**

The residence on this property was constructed in 1966. The property owner is proposing to remove an existing room addition and replace it with a new addition.

Appendix B Zoning Regulations, Section 4.5-4B1c requires the primary structure and all additions to meet a rear setback of thirty feet (30'). 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 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 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.