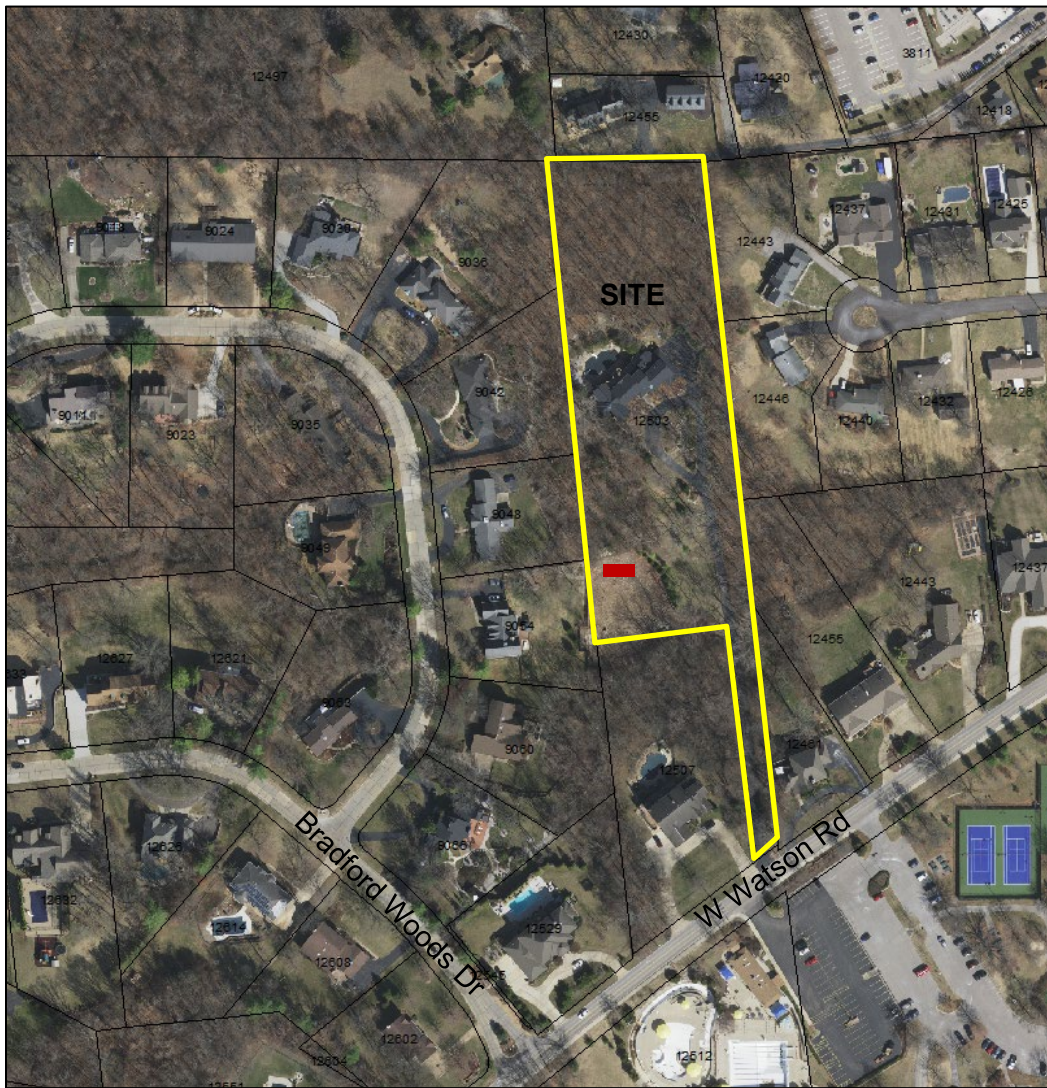


A-04-23

Title: Petition for a variance, submitted by Megan Hall for Astrawatt Solar, to allow the placement of an accessory structure (solar panels) in front of the primary structure (UDO Section 4.6.2-1b).

Owners: Eric Munson & Mary Roe
12503 West Watson Road
St Louis, Missouri 63127

Date: January 2023



* Maps are for informational use only. Not a representation of the project. ● Approximate solar panel location

Summary:

This Appeal is to allow the construction of an accessory structure (solar panels) in front of the primary structure at 12503 West Watson Road. The property is located on the north side of West Watson Road, approximately 425 feet east of Bradford Woods Drive. The property is currently zoned R-1 Single Family Residential – 1 acre minimum lot size. The properties to the west are also zoned R-1. The properties to the north and east are zoned R-2 Single Family Residential – 20,000 square foot minimum lot size. The properties to the south are zoned R-1 & R-2.

Project overview:

- Location: 12503 West Watson Road
- Zoning district: R-1 Single Family Residential
- Section from which variation is being sought: UDO Section 4.6.2-1b
- Request: to allow an accessory structure between the primary structure and the front lot line.

History & Staff analysis:

There is an existing residence on this property, which was constructed circa 1988. There is a City storm sewer basin contained in a fenced area on the southwest corner of the property (see photo). As the petitioner will explain, the homeowner would like to install solar panels outside of the fenced area. Section 4.6.2-1b of the Unified



Development Ordinance (UDO) states: Any accessory structures not located entirely in the required rear yard setback must comply with the side yard setback requirements of the primary structure, shall not be closer than five feet (5') from the rear property line, and not located between the primary structure and the front lot line or the lot line adjacent to the street for corner lots.

Section 10.3.2 of the UDO states: 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:

- 1) 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.

- 2) 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. The proposed building site is in an area previously graded when the installation of the City constructed storm sewer facility occurred. The remainder of the property is heavily wooded and installation of the solar panels elsewhere on the property would result in removal of a fair amount of tree canopy.

- 3) 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. It is not financial or pecuniary.

- 4) 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.