

AGENDA

BOARD OF ADJUSTMENT

July 28, 2016

7:00 P.M.

A meeting of the Sunset Hills Board of Adjustment will be held in the Robert C. Jones Chambers of City Hall, 3939 S. Lindbergh Boulevard, Thursday, July 28, 2016 at 7:00 p.m.

Approval of Minutes of the May 26, 2016 meeting.

NEW BUSINESS:

A-07-16 Notice of appeal submitted by Jesse & Kelly Finney to vary Appendix B Section 5.12-2(A)1 to allow an accessory structure in the front yard for construction of a horse barn at 13240 West Watson Drive.

Should you be unable to attend, please notify City Hall offices at 314-849-3400 before 1:00 p.m. Thursday, July 28, 2016.

Sunset Hills

3939 S. Lindbergh Blvd.
314-849-3400

NOTICE OF APPEAL TO THE BOARD OF ADJUSTMENT

Date 4/8/16

File No. A-07-16

Application is hereby made to the City of Sunset Hills Board of Adjustment for its consideration of a variance from the regulations and restrictions of the Zoning Ordinances of the City of Sunset Hills as they pertain to the land presently zoned R-1 and is located at 13240 W WATSON Rd St Louis Mo 63127
(Address of property)

Applicant's Name Jesse & Kelly Finney Phone 314-402-7277

Applicant's Address 13240 W WATSON Rd St. Louis MO 63127
City State Zip

Owner's Name SAME Phone _____
(If different than applicant)

Owner's Address SAME _____
City State Zip

The Department of Public Works denied applicant's request for a permit to construct a Horse BARN

I (Applicant) Kelly Finney hereby requests a variance to allow BARN in the side yards, not behind the house

Practical difficulties or unnecessary hardships for which the Board of Adjustment should grant the variance are: _____

our property has 10.2 Acres. The House was Built on A Hill between 2 Very Steep & large Ravines making it impossible and UNSAFE to Have A BARN in that location.

Legal Description of the property to be attached.

Fee: \$125.00

NOTE: The Board of adjustment may only grant variances to increase allowable ground coverage up to 50% and to decrease setback requirements by 35%. Ordinance No. 635, 1082.

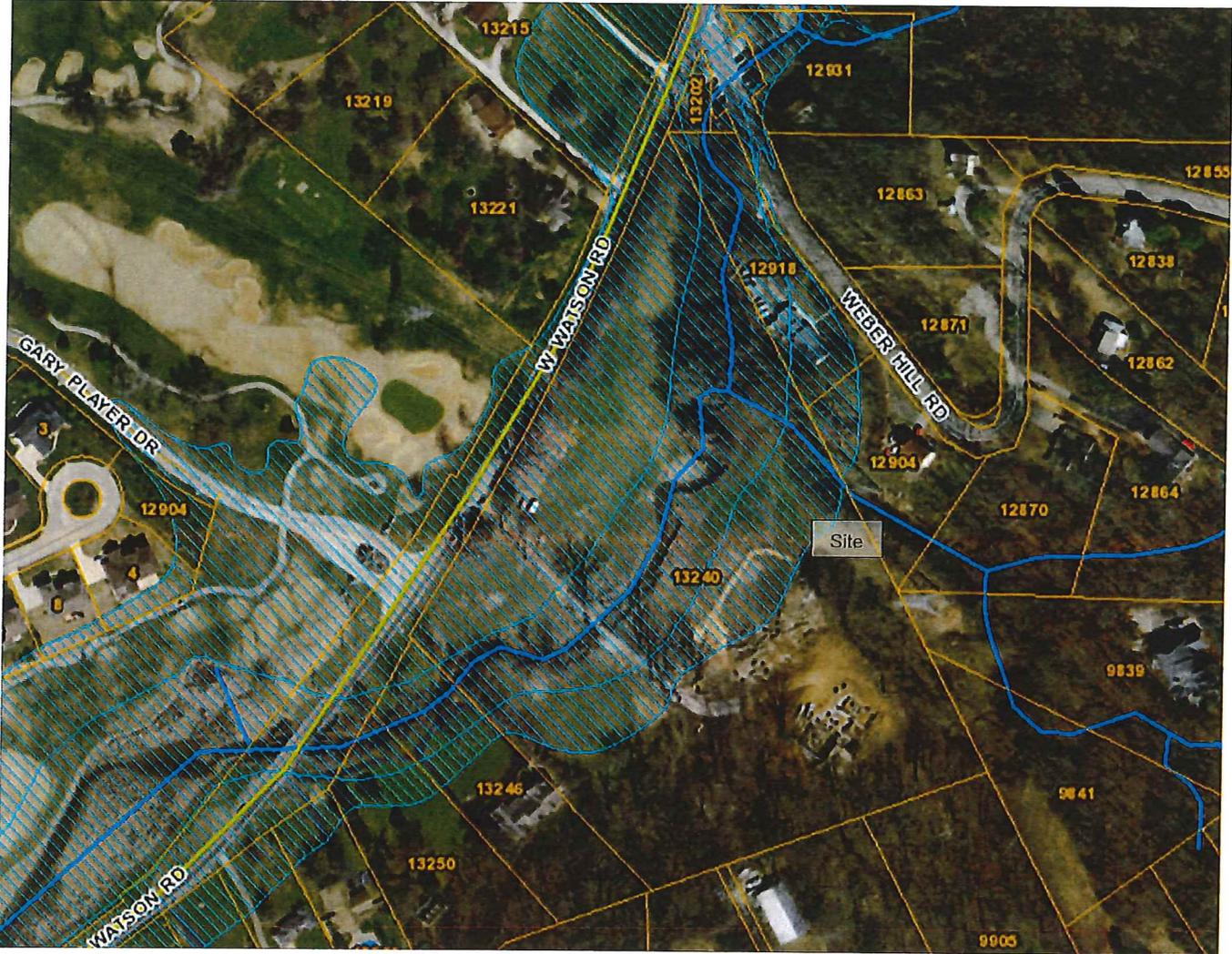
Signature Kelly Finney

A-07-16

Title: Appeal submitted by Jesse & Kelly Finney to vary Appendix B Section 5.12-2(A)1 to allow the construction of an accessory structure (horse barn) in the side yard at 13240 West Watson Road.

Owners: Jesse & Kelly Finney
13240 West Watson Road
St Louis, Missouri 63127

Date: July 2016



Summary:

This application is to vary the requirement in Appendix B, Section 5.12-2(A)1, which states: "All accessory structures and uses shall be located behind the rear of the principal building." The property is located on the southeast side of West Watson Road, approximately 600 feet southwest of Weber Hill Road. The property is zoned R-1 Single Family Residential 1 acre minimum lot size. All surrounding properties, with the exception of Tapawingo Golf Course, are also zoned R-1. The Golf Course is zoned PD-MXD Planned Development-Mixed Use.

This property is affected by 100-year floodplain, which is shown on the attached map with diagonal blue lines. The proposed structure will be located outside of the 100-year floodplain; therefore, no additional elevation of the structure would be required.

Analysis:

Per Appendix B, Section 5.12-2(A):

1. All accessory structures and uses shall be located behind the rear of the principal building.

There is an existing residence on the property, which was constructed on the wooded hillside. The proposed location of this structure is in front of the residence, on a more level portion of the property. The proposed structure would meet all other requirements for an accessory structure, including setbacks of 50 feet from the front property line, 15 feet from the side and rear property lines and 10 feet from the residence.

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 use of the property as it currently exists. However, they would not be able to install the barn in the proposed location. The grade behind the residence is quite steep and the owners have indicated it would be difficult for horses to utilize that part 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 could be considered peculiar to this property. There is a steep increase in grade behind the residence.

- (C) That the hardship was not the result of the applicant's own action and is not merely financial or pecuniary.

The hardship is not the result of the applicant's own action. The residence was constructed on the hillside, to be located safely outside of the 100-year flood plain. Therefore, the owners have indicated the proposed building site is the only logical place for the barn to be constructed.

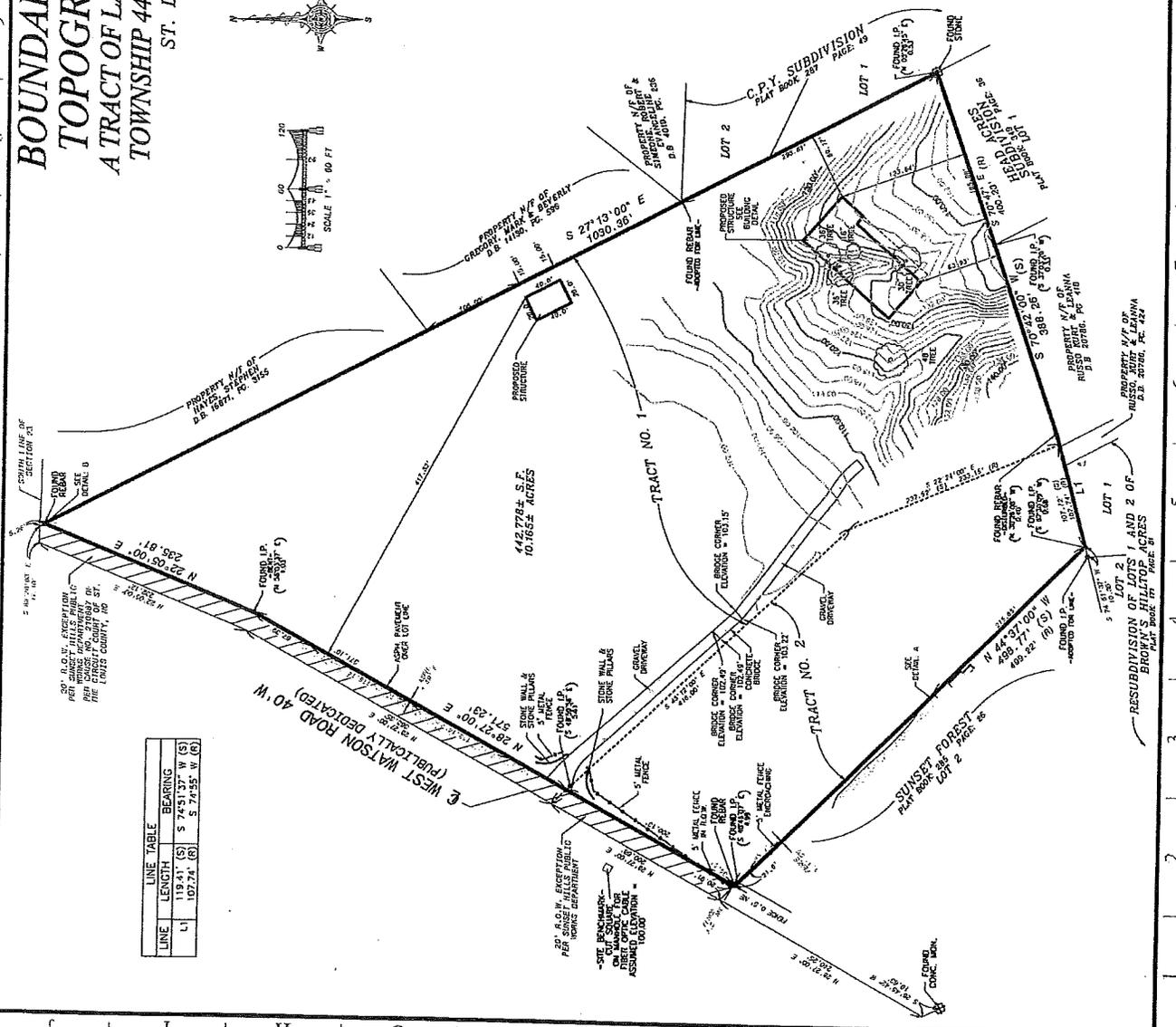
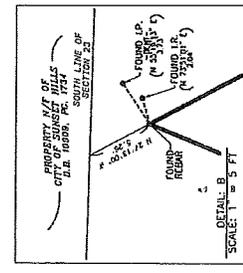
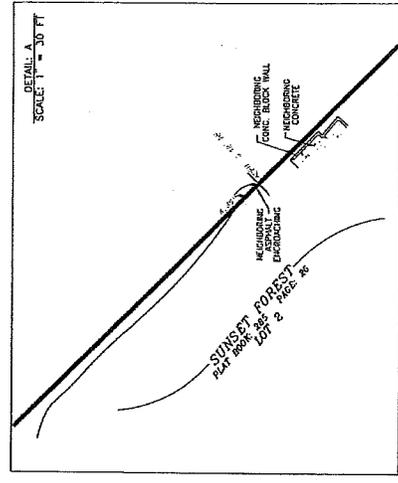
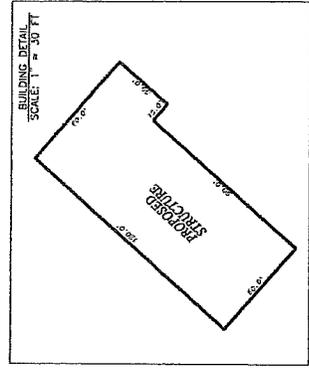
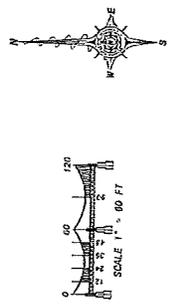
- (D) That the issuance of a variance will not be detrimental to the public welfare or health or injurious to other property.

Based on the information we have, this variance should not be detrimental to the public welfare or health or injurious to other property.

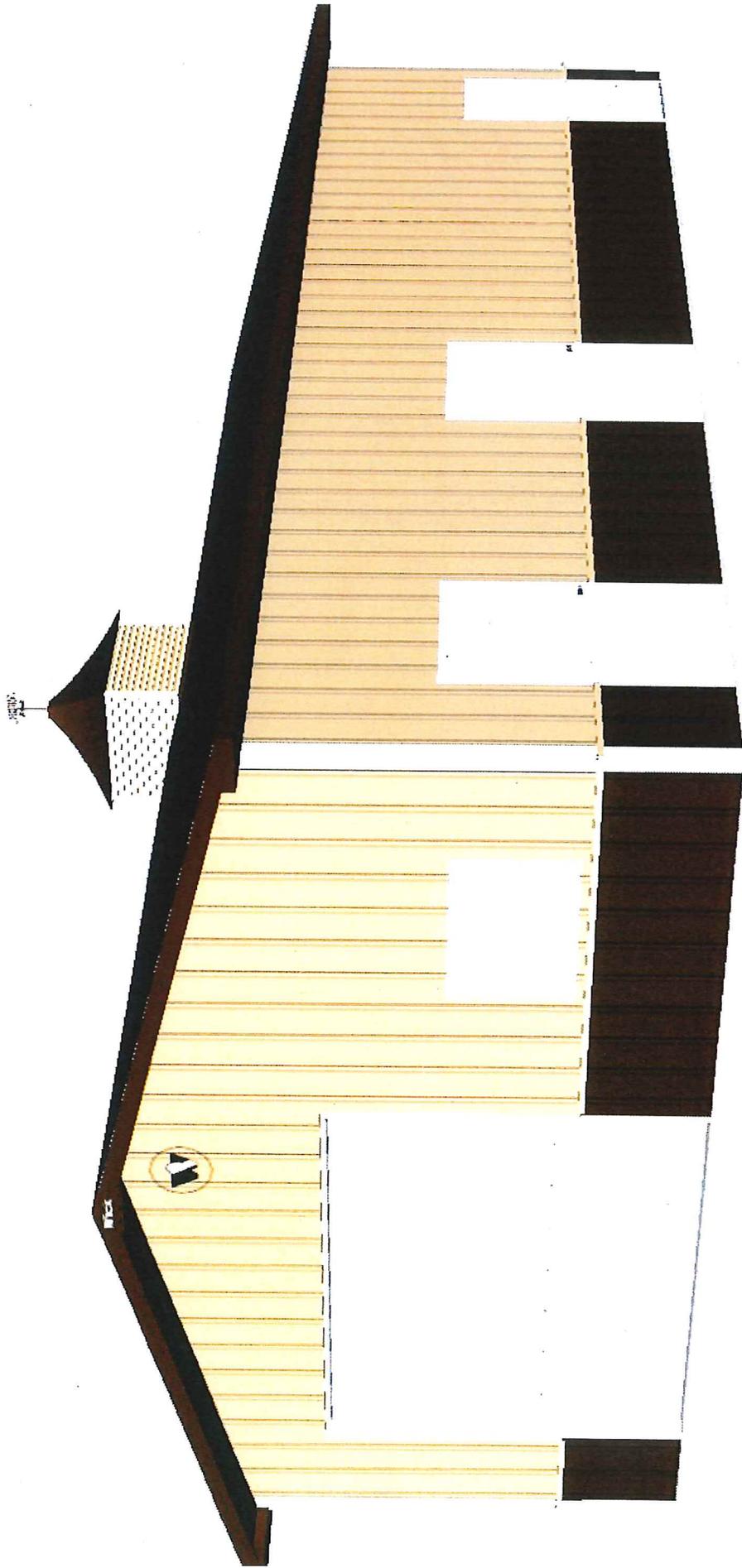
BOUNDARY AND PARTIAL TOPOGRAPHIC SURVEY

A TRACT OF LAND IN U.S. SURVEY 3116, TOWNSHIP 44 NORTH, RANGE 5 EAST ST. LOUIS COUNTY, MO

LINE	LENGTH	BEARING
LI	119.41' (S)	S 74°51'37" W (S)
LI	107.74' (R)	S 74°55' W (R)

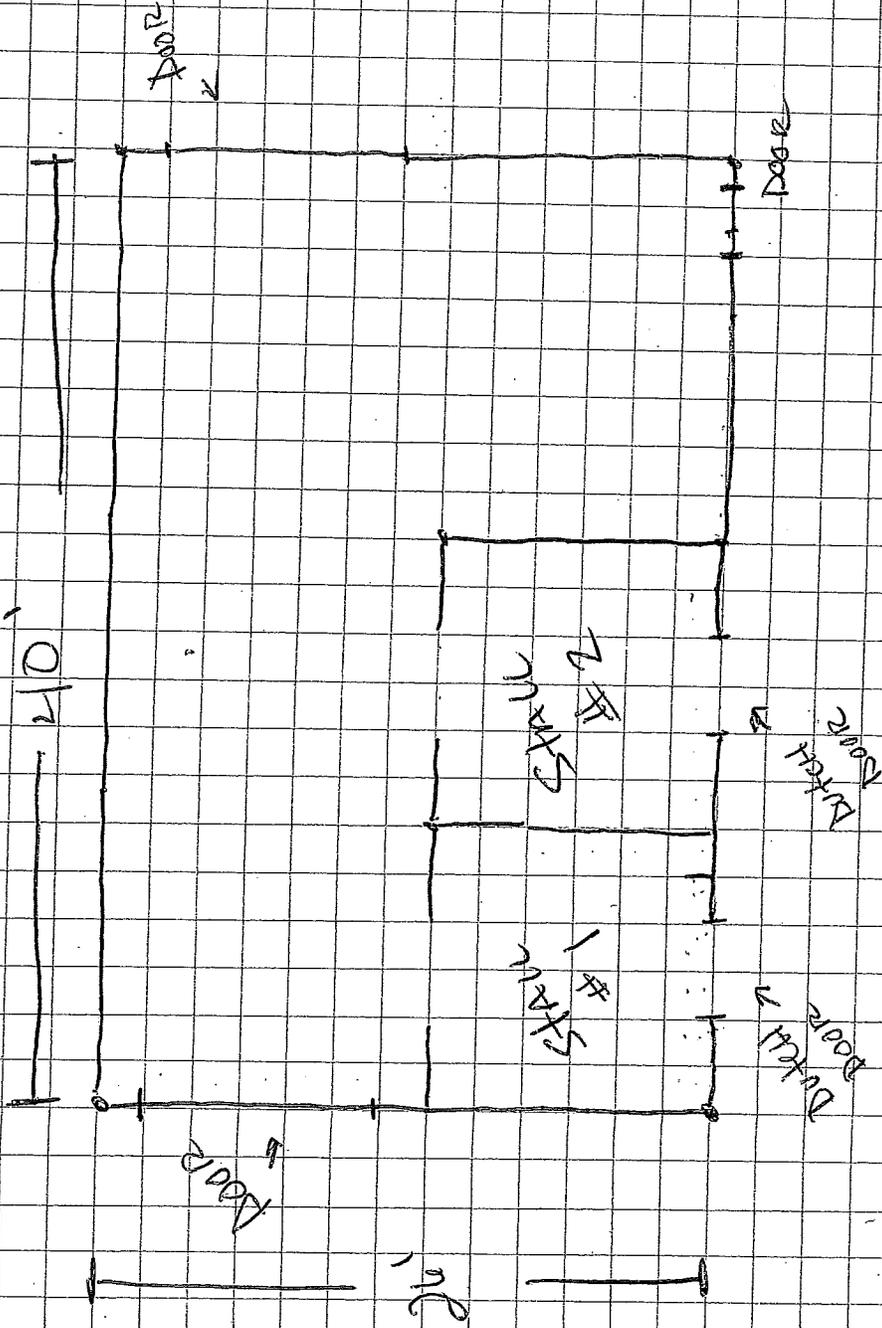


J.P. (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 SURV. (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 THE NO. (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
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 EAST TOGETHER (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 ZIMPROD (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 PROPER (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 APPROD (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 INTER (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 SHOW (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 IN ACC (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 STAND (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 AUSTRI (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 PARUA (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 SUBSECT (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 PHO. (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 PRO. (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 DESG. (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 TOWN. (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 BEEN. (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 SIT. (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 1924. (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 COM. (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)
 LAND SURV. (A) (B) (C) (D) (E) (F) (G) (H) (I) (J)



Size: 26' w x 40' l x 12' h

26 X 40 X 12







PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN THAT AT 7:00 P.M. ON THURSDAY, JULY 28, 2016, A PUBLIC HEARING WILL BE HELD BY THE BOARD OF ADJUSTMENT IN THE ROBERT C. JONES CHAMBERS OF CITY HALL, 3939 S. LINDBERGH BOULEVARD, SUNSET HILLS, MISSOURI. THE BOARD WILL CONSIDER A NOTICE OF APPEAL SUBMITTED BY JESSE & KELLY FINNEY TO VARY THE REQUIREMENT IN APPENDIX B SECTION 5.12-2(A) TO ALLOW THE CONSTRUCTION OF AN ACCESSORY STRUCTURE (HORSE BARN) IN THE SIDE YARD AT 13240 WEST WATSON ROAD. ANYONE INTERESTED IN THE PROCEEDINGS WILL BE GIVEN AN OPPORTUNITY TO BE HEARD. FURTHER INFORMATION ON THIS PROPOSAL IS AVAILABLE AT CITY HALL, 3939 S. LINDBERGH BLVD. IN THE PUBLIC WORKS DEPARTMENT OR BY CALLING 314-849-3400.

BOARD OF ADJUSTMENT
CITY OF SUNSET HILLS, MO

A-07-16