



City of Olivette Public Services
Department of Planning & Community Development
1200 North Price Road Olivette, MO 63132

(314) 993-0252 (Office)
(314) 994-9862 (Fax)

**BOARD OF ADJUSTMENT
APPEAL PETITION FOR AN AREA VARIANCE**

PARTIES OF INTEREST

Petitioner

Name: Greg Schaefer
Company (if applicable): California Custom Decks
Mailing Address: 9227 Manchester Road
City: Saint Louis State: Mo Zip Code: 63144
e-mail: info@caldecks.com
Phone: 314-968-3325 Fax: _____
Describe interest in property (i.e. owner, contractor, etc.): Contractor

Name of the legal owner of property:

Raphael and Jillian Thomadsen

Is the property under ownership of trust or other legal corporation Yes No
If so, what is the name of trust/legal corporation:

Name of agent: _____
Title of agent: _____

Current mailing address of owner (include address, street, city, state, and zip code):

Mailing Address: 809 Newcastle Drive
City: Saint Louis State: MO Zip Code: 63132
e-mail: thomadsen@wustl.edu
Phone: 917-597-8772 Fax: _____

PROPERTY DESCRIPTION

Mailing Address: 809 Newcastle Drive
Saint Louis County Locator Number: 17M620260
Subdivision Name: Oak Estates
Lot Number/Block Number: Lot 10 in block 5

LOT DIMENSIONS AND ZONING REGULATIONS

Current land use zoning classification: SR Single Family Residential

Required front yard setback: 40'

Lot width: 110' Required side yard setback: 12% of lot width ≈ 13.2'

Lot Depth: 124' Required side yard setback: 12% of lot width ≈ 13.2'

Lot Area: 13,956 sq ft

Maximum building height: 35'

Maximum permitted site coverage: 25%

Maximum permitted residential floor area ratio: 30%

For signage request:

For wall sign, note the building elevation being considered: _____

Elevation: width: _____ height: _____ Maximum sign area permitted by Code: _____

For monument sign, note the street being considered: _____

frontage width: _____ lot area: _____ Maximum sign area permitted by Code: _____

APPEAL REQUEST

Describe the nature of building permit being sought and describe the construction that is being proposed:

The variance request is for the construction of a new covered deck area to replace the existing deck.

What sections of the Zoning/Sign Regulations are being appealed and why:

Section 400.260 Yard and Setback Requirements.

The current deck extends into the 20% rear lot line rule, but still adheres to the 20' minimum setback requirement. We are asking for a variance that still adheres to the 20' setback requirement, but removes the 20% of lot depth requirement currently set.

Given the jurisdiction of the Board as noted under Section 400.1640 of the Olivette Municipal Code, on a separate sheet of paper address the following four (4) questions: * See Attached.

1. What particular hardships would result without the variance request?
2. What are the characteristics of the subject property that necessitate the need for the variance request?
3. What other options/alternatives were considered and why said options/alternatives were unsuccessful?
4. How does granting of the variance request not impose a unique burden on adjacent properties?

1. We are asking for a variance that still adheres to the 20 feet from the property boundary, but excuses us from the percent of the requirement, between the porch and the property line being 20% of the lot size. When we bought our home in 2013, we did not know that (1) our house was located almost 4 feet further from the street than required, or that (2) our current porch violates the 20% of the lot size rule. These things happened when the home was built under different owners. However, having to adhere to the 20% rule would force us to shrink our porch from its current size, and would limit its usability.
2. As noted above, two characteristics require the need for the variance request. First, our house was built almost 4 feet further from the street than required, and second, the porch that they built was already over the rule about leaving 20% of the lot between the porch and the fence. This was done under previous owners and was not known to us when we bought the house (and indeed, we only learned this when trying to get the building permit). Because of this, adhering to the 20% of the lot size rule would require us to substantially shrink our porch from its current size. However, our proposal will still adhere to the rule that the porch must be 20 feet away from the property line.
3. The only other approaches would be to build a new porch that is much smaller than our current one, which would decrease the usability of the porch, or to position the porch in a way that is inconsistent with the aesthetics of the house, which would be more of a problem for the neighbors.
4. First, we have asked our neighbors (both sides and back) if they object, and none of them object or believe that it imposes a burden. Second, the distance between the fence for the new porch and the current porch is similar, but it will be hard to sense. And finally, the porch will still be 20 feet away from the property line, so it leaves a proper amount of space between the porch and our neighbor's property.