



Board of Adjustment Variance Application

139 S. Kirkwood Rd. Kirkwood, MO 63122 (314) 822-5823 Fax (314) 822-5898

***An appointment with staff is required prior to the submittal of a variance application.**
Your meeting with staff will assist you in preparing your submittal information. Please contact Amy Lowry, Assistant City Planner at 314-822-5815 to schedule an appointment.

City Use Only Meeting Date June 8, 2020 Case# 14-2020 Zoning District R-3

Action Requested:

- Variance of Zoning Code**
 - \$240** non-refundable filing fee for additions/alterations to existing single-family structures and for accessory structures such as shed, garages, and swimming pools
 - \$500** non-refundable filing fee for all others not listed above,
 - \$50** fee for each additional variance request on the same application.
- Variance of Fence Code- \$200** non-refundable filing fee (per Code §5-45(c))
- Appeal the decision of the Building Commissioner - \$240** non-refundable filing fee
- Appeal the interpretation of the Zoning Code - \$500** non-refundable filing fee

Project Address 444 Alice Ave

Type of Work: New Construction Addition Other _____

Type of Structure: Single-family Multi-family Commercial Accessory
 Other _____

Has a previous variance application been filed on these premises within the last three (3) years?
 Yes No Previous application was for a side setback variance. That variance was unanimously approved.

I hereby certify that all the information provided, including that contained in any supporting documents submitted, is true and accurate to the best of my knowledge and belief.

Applicant Information: Property Owner Occupant Contractor Architect Other _____

Name Ryan and Rachel Roe Phone 314-680-3797

Address 444 Alice Ave

City/State/Zip Kirkwood/MO/63122 E-mail ryan.w.roe@gmail.com

Applicants Signature [Signature] Date 08 May 2020

Property Owner Information (if different from above):

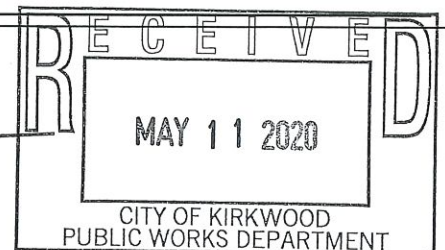
Name _____ Phone _____

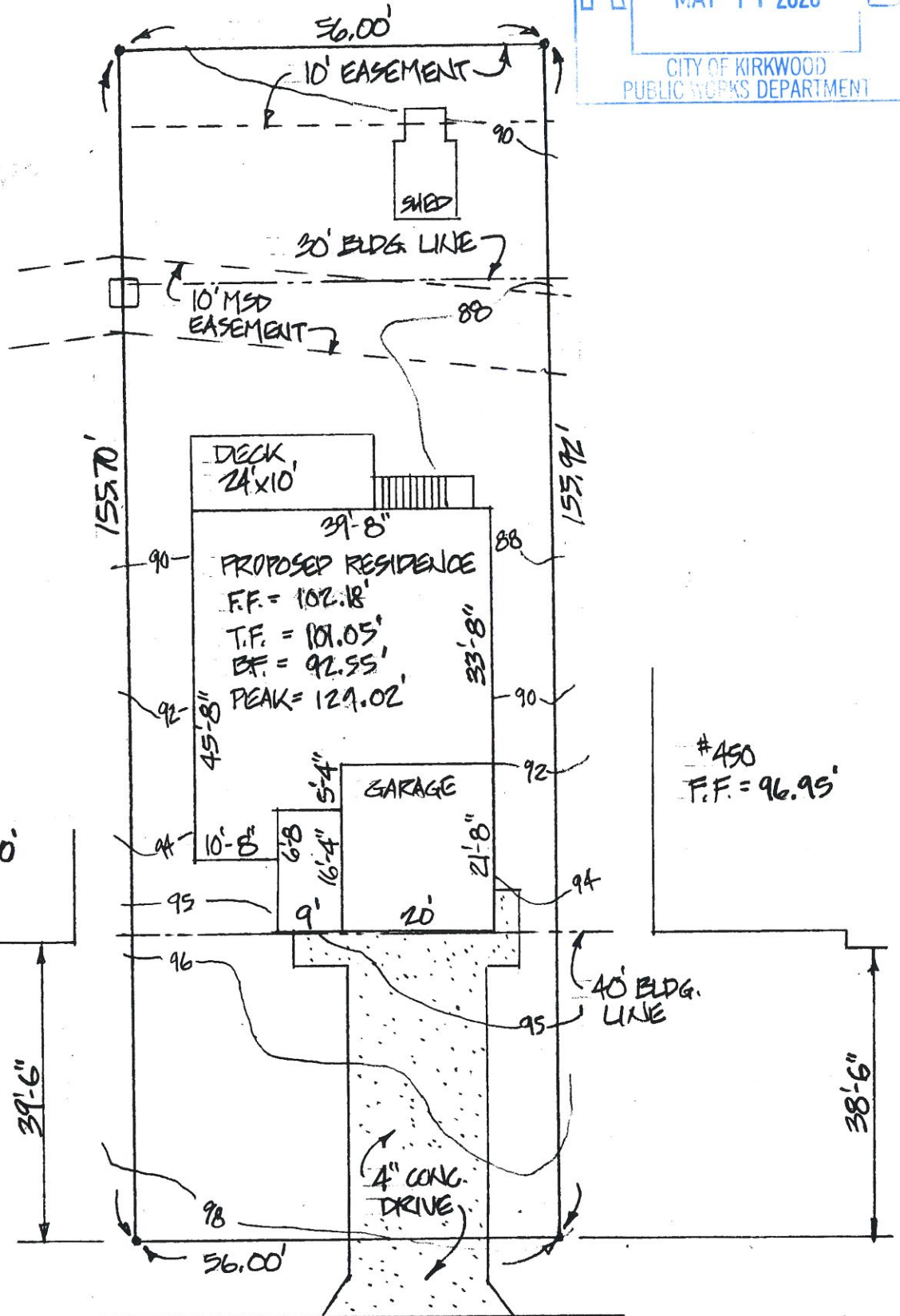
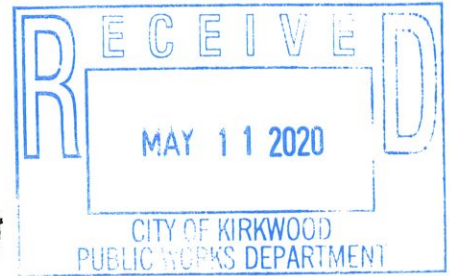
Address _____

City/State/Zip _____ E-mail _____

Owner's Signature _____ Date _____

Received by: AGL CITY'S EXHIBIT NO. 1





#440
F.F. = 101.40'

#450
F.F. = 96.95'

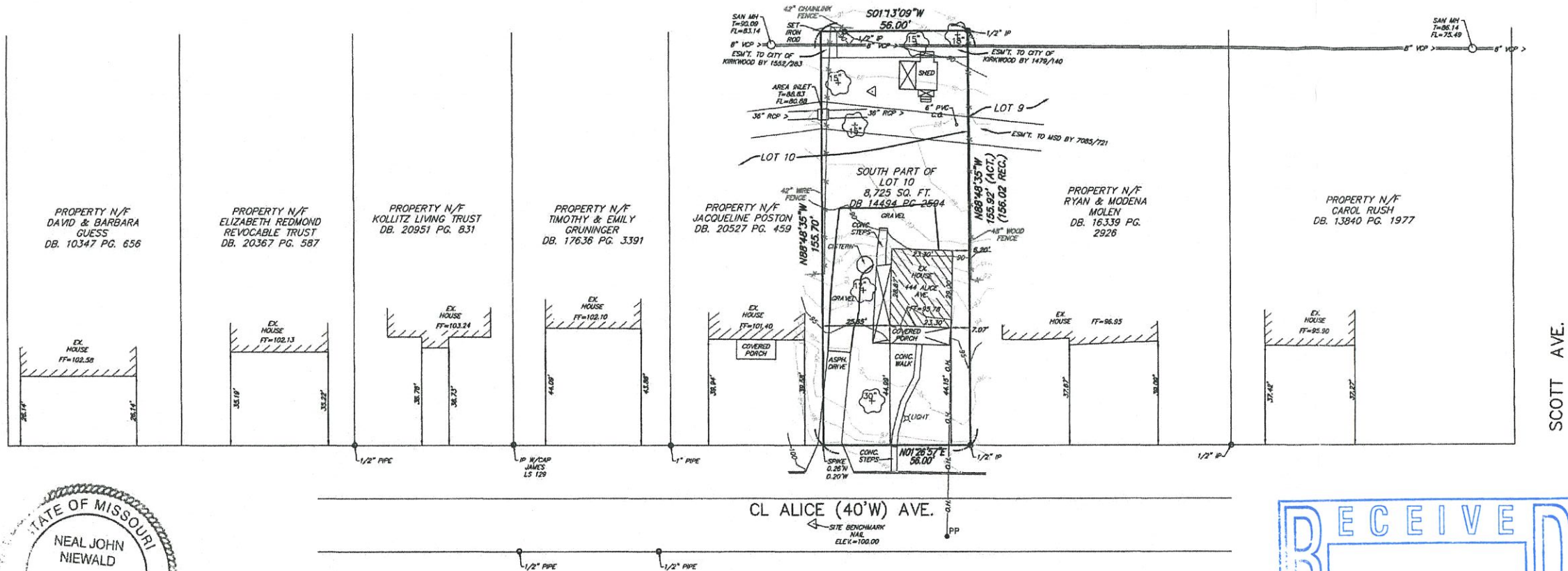
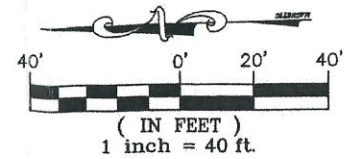
SITE PLAN
SCALE: 1" = 20'

39'-6"

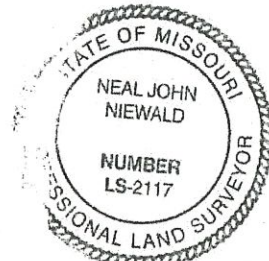
38'-6"

* BM = 100.0
ALICE

5/08/2020



SCOTT AVE.



2-7-2020



Date: 1/20/17	Order Number: 10032
File Name: 10032 CALCS	Drawn: BRYAN
Checked: BRYAN	Sheet: 1
Base Map:	
MSD P#:	

**SOUTH PART OF LOT 10
PLOT PLAN**

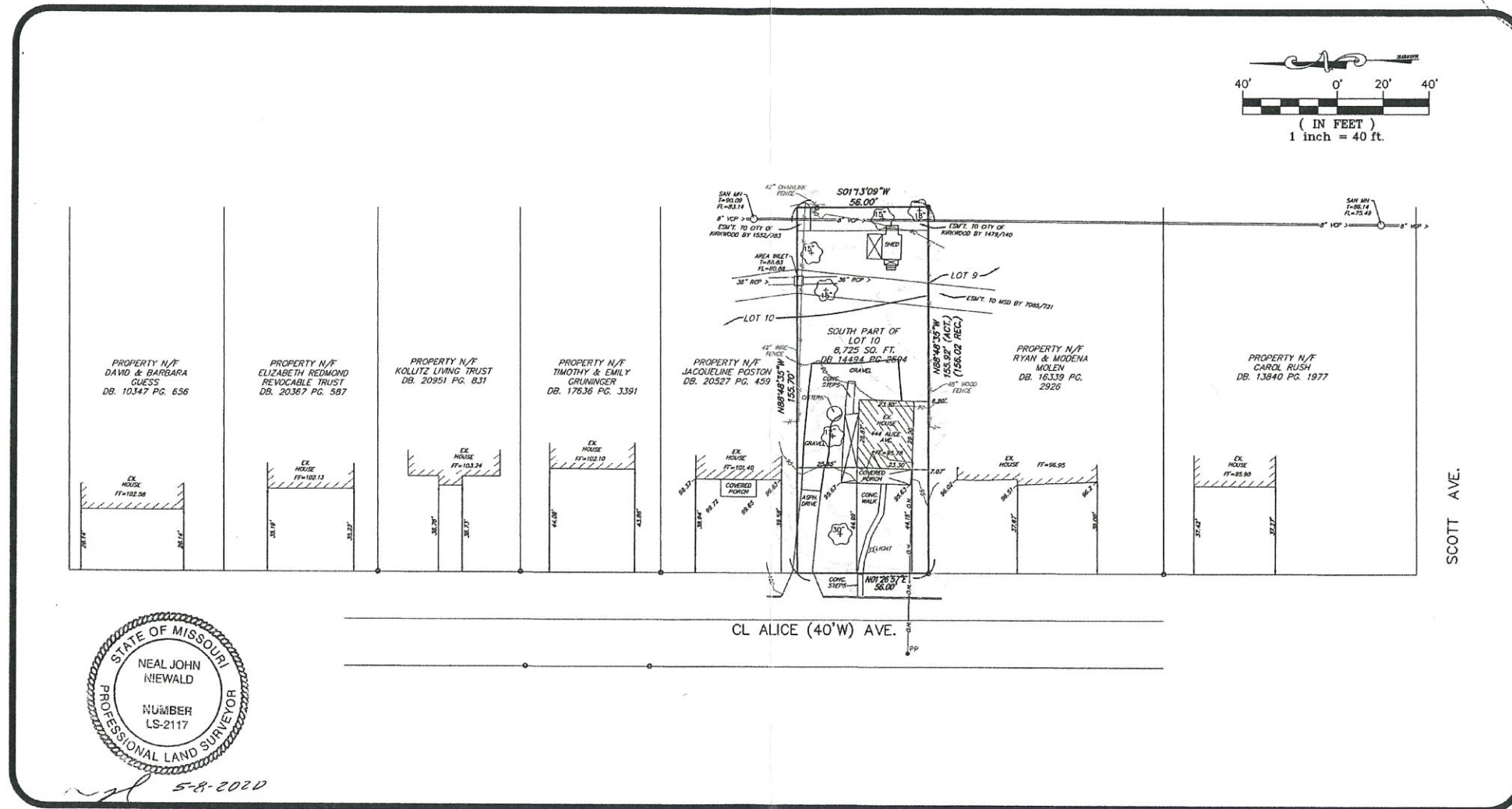
MO. EXPIRATION DATE: DECEMBER 31 2018
 IL EXPIRATION DATE: APRIL 30 2017
 MO. CORPORATE LICENSE NO. 001347
 IL CORPORATE LICENSE NO. 184.003035

Seal

Engineered By:
DOERING ENGINEERING Inc.
 CIVIL ENGINEERING • PLANNING • SURVEYING

Missouri Office
 5030 Griffin Rd.
 St. Louis, Missouri 63128
 Telephone: (314) 487-8813
 Fax: (314) 943-1718

Revised	Comment
2/7/2020	ADDED EASEMENTS



5-8-2020

Date: 1/20/17	Order Number: 10032
Title Number: 10032	Client: GUESS
Order: BYRAN	Sheet: 1
Scale: 1" = 40'	

**SOUTH PART OF LOT 10
PLOT PLAN**

MO EXPIRATION DATE: DECEMBER 31 2018
IL EXPIRATION DATE: APRIL 30 2017
NEAL JOHN NIEWALD
LICENSE NO. 0000617
IL CORPORATE LICENSE NO. 184.0000393

Seal

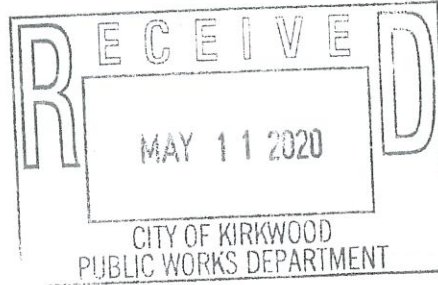
Engineered By:
DOERING ENGINEERING Inc.
MISSOURI OFFICE
5000 Grille Rd.
St. Louis, Missouri 63128
Telephone: (314) 487-8913
Fax: (314) 843-1718
CIVIL ENGINEERING • PLANNING • SURVEYING

Revised	Comment
2/7/2020	ADDED EASEMENTS
4/28/2020	ADDED GROUND ELEV.
5/8/2020	ADDED ADDITIONAL GROUND ELEV.

Ryan and Rachel Roe

444 Alice Ave
Kirkwood, MO 63122
314-680-3797
ryan.w.roe@gmail.com

07 May 2020



Board of Adjustment

City of Kirkwood
139 S Kirkwood Rd
Kirkwood, MO 63122

Dear Members of the Kirkwood Board of Adjustment,

The homeowners at 444 Alice Ave respectfully request a variance to construct a new primary residence that will be situated with a first floor height of 102.18'. The proposed site plan requires a violation of § IV-A-420.6: *"The maximum finished first floor height for new residential structures for an interior lot located between two improved lots shall be determined by averaging the two existing finished floor heights of the structures on either side of the subject lot."* Strict adherence to the code would require the new home to be built on the existing spot grade of 95.67' with a First Floor Height of 97.67' and a First Floor Finished Height of 2'. The homeowners request a variance of 4.51' to the required 97.67' FFFH.

Strict adherence to Kirkwood's R-3 zoning code would require the homeowners to build at a grade that is below the spot grade of the two adjacent homes and well below the grade of Alice Ave. Building at the existing grade would only perpetuate existing drainage issues on the lot and would require the grade of the driveway leading to the garage to slope toward the home. This would create an unnecessary hardship in adhering to the 2015 International Residential Code requirement that "Impervious surfaces within 10 feet (3048 mm) of the building foundation shall be sloped a minimum of 2 percent away from the building.

The homeowners request your approval for a variance of First Floor Finish Height of 4.51'. This would bring the allowed FFFH from 97.67' up to 102.18' and result in the following:

- First Floor Height: 102.18'
- Top of Foundation: 101.05'
- Top of garage slab height: 100.8'
- 2% grade for driveway slope away from foundation: $(40 \times .02) = .8'$
- Street elevation benchmark: 100'

This would result in a grade that is consistent with the existing grade of the portion Alice Ave directly adjacent to the home and comply with the 2015 version of the IRC.

As fellow members of the Kirkwood community, we would like to once again thank the Board

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI
COUNTY OF ST. LOUIS

} S.S.

Before the undersigned Notary Public personally appeared **Kathy Travis** on behalf of **THE COUNTIAN, ST. LOUIS COUNTY** who, being duly sworn, attests that said newspaper is qualified under the provisions of Missouri law governing public notices to publish, and did so publish, the notice annexed hereto, starting with the **May 20, 2020** edition and ending with the **May 20, 2020** edition, for a total of 1 publications:

05/20/2020

**CITY OF KIRKWOOD
NOTICE OF PUBLIC HEARING
BEFORE THE BOARD OF
ADJUSTMENT**

CITY OF KIRKWOOD, MISSOURI

The Board of Adjustment of the City of Kirkwood will hold Public Hearings via Zoom webinar on June 8, 2020 at 7:00 P.M. to consider the following:

New Business

Case No. 12-2020 101 Handlan Ct., Rear yard variance for an addition

Case No. 13-2020 401 Crest Ave., Location variance for replacing a fence

Case No. 14-2020 444 Alice Ave., Infill residential finished first floor height variance for new single-family residence

Case No. 15-2020 423 Central Pl., Front yard encroachment variance for a porch addition

Case No. 16-2020 14 Heatherbrook Ln., Side yard variance for deck addition

Such hearings may be adjourned from time to time until completed.

BY ORDER OF: Joe Roeser, Secretary - Board of Adjustment Kirkwood, Missouri

May 20, 2020 The City of Kirkwood is interested in effective communication for all persons. Persons requiring an accommodation to attend and participate in the meeting should contact the City Clerk at 314-822-5802 at least 48 hours before the meeting. With advance notice of seven calendar days, the City of Kirkwood will provide interpreter services at public meetings for languages other than English and for the hearing impaired. Upon request, the minutes from this meeting can be made available in an alternate format, such as cd by calling 314-822-5816. 11886951 County May 20, 2020

Kathy Travis

Kathy Travis

Subscribed & sworn before me this 20th day of May, 2020
(SEAL)

Chanel Jones

Notary Public

CHANEL JONES
Notary Public - Notary Seal
State of Missouri
Commissioned for St Louis County
My Commission Expires: August 08, 2022
Commission Number: 14397721

645 EAST ELLIOTT LLC
645 E ELLIOTT AVE
SAINT LOUIS, MO 63122

RESIDENT
454 MIRIAM AVE
SAINT LOUIS, MO 63122

AUTTIN HOLT CHARLOTTE LAVERNE
455 S HOLMES AVE
SAINT LOUIS, MO 63122

BARCROFT MICHAEL & SHANNA
435 S HOLMES AVE
SAINT LOUIS, MO 63122

BAUER PAUL W & BRADY PATRICIA A
419 S HOLMES AVE
SAINT LOUIS, MO 63122

BENDEL MARY E REVOCABLE TRUST
446 MIRIAM AVE
SAINT LOUIS, MO 63122

BLANKENSHIP BRADLEY ETAL JT
431 ALICE AVE
SAINT LOUIS, MO 63122

BRIGGS GLEN A REVOCABLE TRUST
1108 NEW BALLWIN OAKS DR
BALLWIN, MO 63021

CALLAHAN TIMOTHY & CHERYL D
431 ALICE AVE
SAINT LOUIS, MO 63122

CARR CAROL
453 S HOLMES AVE
SAINT LOUIS, MO 63122

GOLDNER JESSE A & CROMWELL
JUDITH A
415 S HOLMES AVE
SAINT LOUIS, MO 63122

GRUNINGER TIMOTHY E & EMILY S
436 ALICE AVE
SAINT LOUIS, MO 63122

GUESS TRUST
414 ALICE AVE
SAINT LOUIS, MO 63122

HARES DAVID IVOR
447 ALICE AVE
SAINT LOUIS, MO 63122

HUBERT ANTHONY D MELANIE R
449 ALICE AVE
SAINT LOUIS, MO 63122

KEISER THOMAS H SUZANNE L
435 ALICE AVE
SAINT LOUIS, MO 63122

KERCKHOFF ARTHUR F IV & MARY K
421 ALICE AVE
SAINT LOUIS, MO 63122

KLOS STEVEN M
1051 JOHANNA DR
BALLWIN, MO 63021

KOLLITZ LIVING TRUST
434 ALICE AVE
SAINT LOUIS, MO 63122

LONG RICHARD & KELLY H/W
430 MIRIAM AVE
SAINT LOUIS, MO 63122

MCPHEETERS JAMES K ETAL
443 ALICE AVE
SAINT LOUIS, MO 63122

MOLEN RYAN C
450 ALICE AVE
SAINT LOUIS, MO 63122

OWNERSHIP INDETERMINABLE

PATTON RYAN
9500 S GEYER RD
SAINT LOUIS, MO 63127

POSTON JACQUELINE GAY
440 ALICE AVE
SAINT LOUIS, MO 63122

PUGH CAROL J LIVING TRUST C/O
CAROL J &
426 MIRIAM AVE
SAINT LOUIS, MO 63122

QUINDRY PAUL & ELIZABETH H/W
441 ALICE AVE
SAINT LOUIS, MO 63122

REBORE RONALD W ETAL
438 MIRIAM AVE
SAINT LOUIS, MO 63122

REDMOND ELIZABETH J S REVOCABLE
LIVING
426 ALICE AVE
SAINT LOUIS, MO 63122

RETTOR JASON S & KRISTEN A H/W
445 ALICE AVE
SAINT LOUIS, MO 63122



WHERE COMMUNITY AND SPIRIT MEET®

May 26, 2020

Ryan and Rachel Roe
444 Alice Ave
Kirkwood, MO 63122

RE: Variance Request
Case No. 14-2020
444 Alice Ave
Zoning District R-3

Dear Mr. and Ms. Roe:

Your variance request from the Kirkwood Board of Adjustment has been set for Public Hearing via Zoom webinar on June 8, 2020 at 7:00 p.m. The Board of Adjustment is a duly constituted body with certain powers to grant a variance, which will permit a deviation from fixed standards, when the applicant can demonstrate to the Board that the standards set forth below will result in an undue hardship. These powers are set forth in Article XI, Section A-1110.3 of Appendix A, the Zoning Code of the City of Kirkwood; please refer to that section for any further information as to the powers of the Board as they apply to your variance.

You or your representative shall, at the time and place above, present all evidence that may have a bearing upon this case and that you believe to be relevant. This may include oral testimony under oath as well as the introduction of any documents or other records that you believe to be related to the proceedings. The burden of proof lies with the applicant. All proceedings before the Board are formal in that all testimony is under oath and a court reporter will make a verbatim transcript of all matters that are presented before the Board.

Article IV, Section A-420, Sub-Section 420.6 of the Zoning Code requires a finished first floor height of 97.67 feet in this particular instance. The new single family residence you wish to construct will provide a finished first floor height of 102.18 feet. This is 4.51 feet higher than the Zoning Code allows.

Article XI, Section A-1110.3 of Appendix A, allows the Board of Adjustment to grant variances from the requirements when the applicant can prove to the Board the following:

1. There are practical difficulties or an unnecessary hardship in the way of carrying out the strict application of the zoning code; and

CITY'S EXHIBIT NO. 4

444 Alice Avenue

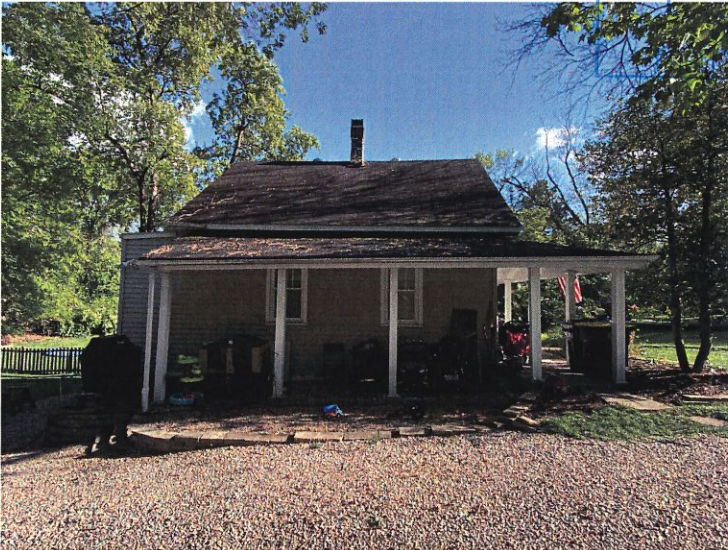


Front



Front

RECEIVED
MAY 11 2020



Side



Front



Side



Back



Board of Adjustment Variance Application

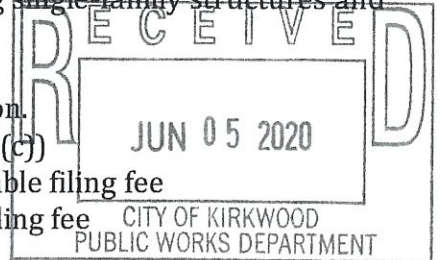
139 S. Kirkwood Rd. Kirkwood, MO 63122 (314) 822-5823 Fax (314) 822-5898

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City Use Only Meeting Date June 8, 2020 Case# 14-2020 Zoning District R-3

Action Requested:

- Variance of Zoning Code**
 - \$240** non-refundable filing fee for additions/alterations to existing single-family structures and for accessory structures such as shed, garages, and swimming pools
 - \$500** non-refundable filing fee for all others not listed above,
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- Appeal the decision of the Building Commissioner** - **\$240** non-refundable filing fee
- Appeal the interpretation of the Zoning Code** - **\$500** non-refundable filing fee



Project Address 444 Alice Ave

Type of Work: New Construction Addition Other _____

Type of Structure: Single-family Multi-family Commercial Accessory
 Other _____

Has a previous variance application been filed on these premises within the last three (3) years?
 Yes No Previous application was for a side setback variance. That variance was unanimously approved.

I hereby certify that all the information provided, including that contained in any supporting documents submitted, is true and accurate to the best of my knowledge and belief.

Applicant Information: Property Owner Occupant Contractor Architect Other _____

Name Ryan and Rachel Roe Phone 314-680-3797

Address 444 Alice Ave

City/State/Zip Kirkwood/MO/63122 E-mail ryan.w.roe@gmail.com

Applicants Signature Ryan Roe Date _____

Property Owner Information (if different from above):

Name _____ Phone _____

Address _____

City/State/Zip _____ E-mail _____

Owner's Signature _____ Date _____

Received by: AGZ CITY'S EXHIBIT NO. 6

VARIANCE(S) REQUESTED:

Setback (front, side, rear)	Required	Requested	Variance Needed	Code Section

Setback (front, side, rear)	Required	Requested	Variance Needed	Code Section

Setback (front, side, rear)	Required	Requested	Variance Needed	Code Section

Other: First Floor Finished Height	Code Section: IV-A-420.6
Describe: Request a variance of 2.71' with regard to First Floor Finished Height. Code currently allows a FFFH of 97.67' (100' benchmark). Homeowners request a variance to build with a FFFH consistent with the grade of the street.	

BOARD OF ADJUSTMENT - SUBMITTAL SCHEDULE- 2020 - *Schedule is subject to change*

LAST DATE FOR SUBMITTAL*	BOARD OF ADJUSTMENT MEETING DATE**
December 16, 2019	January 13, 2020
January 13, 2020	February 10, 2020
February 10, 2020	March 9, 2020
March 16, 2020	April 13, 2020
April 13, 2020	May 11, 2020
May 11, 2020	June 8, 2020
June 15, 2020	July 13, 2020
July 13, 2020	August 10, 2020
August 17, 2020	September 14, 2020
September 14, 2020	October 12, 2020
October 12, 2020	November 9, 2020
November 16, 2020	December 14, 2020
December 14, 2020	January 11, 2021

Ryan and Rachel Roe

444 Alice Ave
Kirkwood, MO 63122
314-680-3797
ryan.w.roe@gmail.com

05 June 2020

Board of Adjustment

City of Kirkwood
139 S Kirkwood Rd
Kirkwood, MO 63122

Dear Members of the Kirkwood Board of Adjustment,

The homeowners at 444 Alice Ave respectfully request a variance to construct a new primary residence that will be situated with a first floor height of 100.38'. The proposed site plan requires a violation of § IV-A-420.6: *"The maximum finished first floor height for new residential structures for an interior lot located between two improved lots shall be determined by averaging the two existing finished floor heights of the structures on either side of the subject lot."* Strict adherence to the code would require the new home to be built on the existing spot grade of 95.67' with a First Floor Height of 97.67' and a First Floor Finished Height of 2'. The homeowners request a variance of 2.71' to the required 97.67' FFFH.

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The homeowners request your approval for a variance of First Floor Finish Height of 2.71'. This would bring the allowed FFFH from 97.67' up to 100.38' and result in the following:

First Floor Height: 100.38'
Top of Foundation: 99.25'
Top of garage slab height: 99'
2% grade for driveway slope away from foundation: $(40 \times .02) = .8'$
Top of curb height: 98.2'

This would result in a grade that is consistent with the existing grade of the portion Alice Ave directly adjacent to the home and comply with the 2015 version of the IRC.

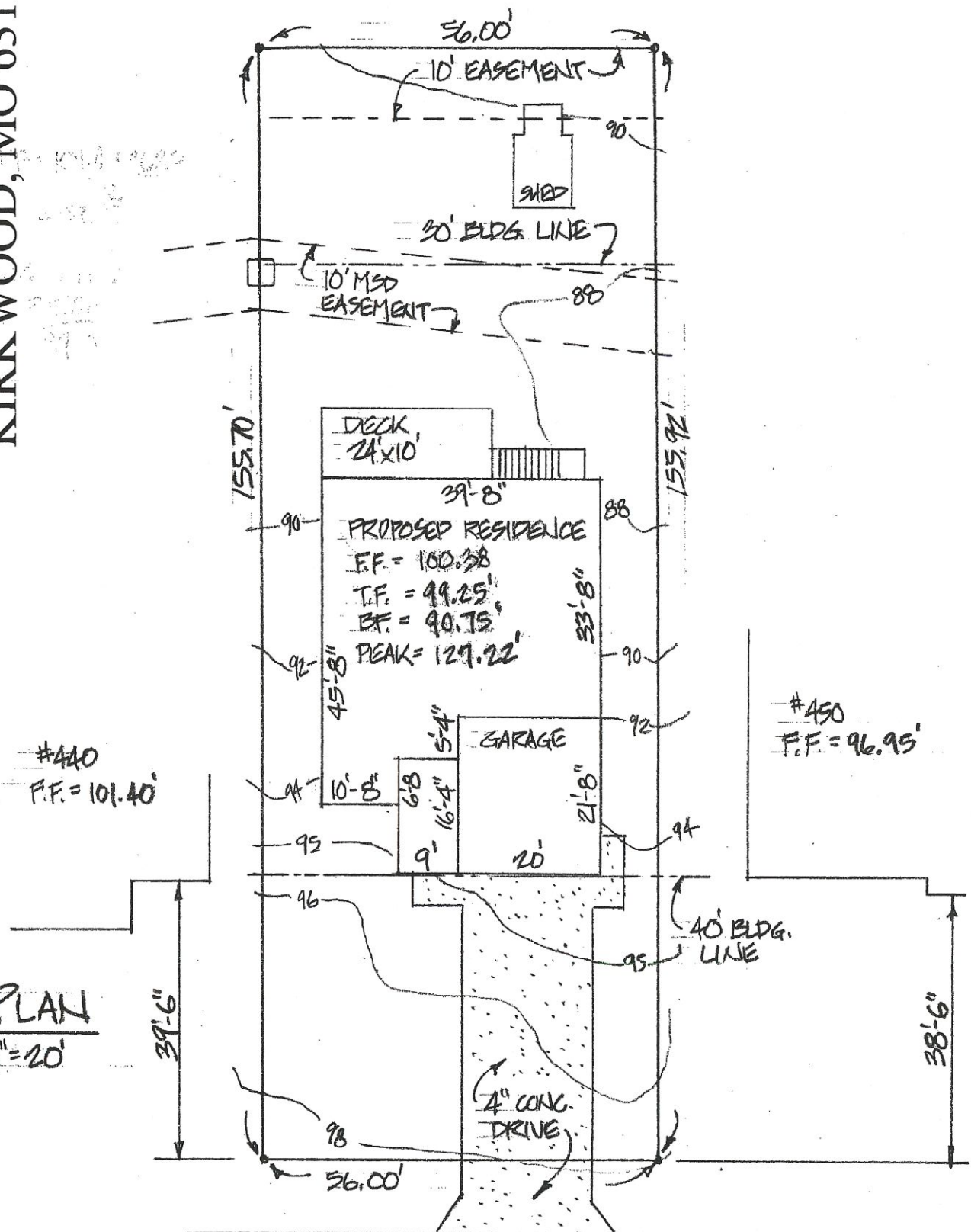
As fellow members of the Kirkwood community, we would like to once again thank the Board

Members for their attention in this matter and for their service to the community.

Sincerely,

Ryan and Rachel Roe

444 ALICE AVE
 KIRKWOOD, MO 63122



SITE PLAN
 SCALE: 1" = 20'

* BM = 100.0
 ← ALICE →

6/03/2020