



SPECIAL ANNOUNCEMENT REGARDING BOARD OF ADJUSTMENT MEETINGS

Section 610.015 of the Missouri Sunshine Law provides that members of the Board of Adjustment who are not physically in the Council Chambers can participate and vote on all matters when an emergency exists and the nature of the emergency is stated in the minutes.

The U.S., and the World, is in a state of emergency due to the Coronavirus-- Covid-19. The Missouri Governor and the County Executive directed all citizens to limit meetings and gatherings to a few people to avoid the spread of the Coronavirus. Therefore, members of the Board of Adjustment have elected to participate in this meeting electronically so that we are compliant with such Orders and for the public health and safety of each other and the general public.

To follow along with the Board of Adjustment meeting, please see the instructions below. To make a comment during the public comment portion of the meeting, you will need to access via the Zoom application and click the hand icon to "raise your hand". Raised hands will be called on in the order received. Please note, if dialing in from a phone, you will "raise your hand" by dialing *9.

Zoom webinar

When: **November 9, 2020**, 7:00 PM Central Time (US and Canada)

Please click the link below to join the webinar:

<https://zoom.us/j/94528686905>

Or iPhone one-tap :

US: +13126266799,,94528686905# or +16468769923,,94528686905#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 876 9923 or +1 301 715 8592 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 408 638 0968

Webinar ID: 945 2868 6905

International numbers available: <https://zoom.us/j/94528686905>

SEE THE FOLLOWING PAGE FOR THE AGENDA



**Board of Adjustment
Agenda
Monday, November 9, 2020, 7:00 p.m.
Zoom Virtual Meeting**

I. Approval of Journal

II. Continued Business

- a. **Case No. 22-2020** Bill and Melinda O'Dowd, applicants for 618 E. Adams Avenue (R-3 Zoning District), request a variance to the fence code requirements on height and openness in front of the front building line

III. New Business

- a. **Case No. 23-2020** Patriot Sunrooms, applicant's agent for 906 North Geyer Road (R-4 Zoning District), requests a variance to construct a single-story open patio roof cover over an existing deck in the rear yard that will not conform to the rear yard encroachment regulation.
- b. **Case No. 24-2020** Wayne A Viers, applicant for 911 West Adams Avenue (R-1 Zoning District), requests a variance to the fence code requirements on height and openness in front of the front building line.

Such hearings may be adjourned from time to time until completed

By order of: Joe Roeser, Secretary – Board of Adjustment Kirkwood, Missouri,
October 21, 2020

Staff Liaison: Amy Lowry; Phone: (314) 822-5815;
Email: lowryag@kirkwoodmo.org

Board of Adjustment: Chairman Mark McLean, Members Cindy Coronado, Joe Roeser, Paul Schaefer, Paul Ward, Pat Jones and Dan Stauder.

Accommodation: 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 a CD, by calling 314-822-5802.



Board of Adjustment - Journal
October 12, 2020, 7:00 p.m.
Zoom Virtual Meeting

Present: Mark McLean, Chair; Joe Roeser; Paul Schaefer; Cindy Coronado; and Paul Ward.

City Attorney: Taylor Essner **Court Reporter:** Gwen Huffman
Staff Liaison: Amy Lowry

Chair McLean stated for the record that Section 610.015 of the Missouri Sunshine Law provides that members of the Board of Adjustment who are not physically in the City Hall can participate and vote on all matters when an emergency exists and the nature of the emergency is stated in the minutes. So, let the minutes reflect that the U.S., and the World, is in a state of emergency due to the Coronavirus. The Missouri Governor and the County Executive directed all citizens to limit the number of attendees for meetings and gatherings to avoid the spread of the Coronavirus. Therefore, members of the Board of Adjustment have elected to participate in this meeting electronically so that we are compliant with such Orders and for the public health and safety of each other and the general public.

I. Approval of Journal – Unanimously Approved

II. Continued Business – None

III. New Business

- a. Case No. 21-2020 Mark Hicks, applicant for 1026 Station Bend Lane (R-3 Zoning District), requests a variance to construct an uncovered deck that will not conform to the rear yard encroachment regulation – **Denied by a vote of 3 to 2**
- b. Case No. 22-2020 Bill and Melinda O'Dowd, applicants for 618 E. Adams Avenue (R-3 Zoning District), request a variance to the fence code requirements on height and openness in front of the front building line – **Continued to November 9, 2020 by a vote of 5 to 0.**

APPROVED

Mark McLean, Chair

Case Summary

Case Number	23-2020				
Zoning District	R-4				
Project Address	906 N. Geyer Rd				
Applicant Name	Patriot Sunrooms				
Property Owner	Tim and Lisa Klebolt				
Article	IV	Section	A-430	Sub-Section	420.7
Variance Request	Rear yard encroachment for roof on existing deck				
Required	30' rear yard setback (would allow 10' encroachment to 20' from property line); existing nonconforming rear yard setback is 26.4'				
Proposed	16.3				
Variance Requested	13.7' from 30' rear yard setback; 10.1' from 26.4' existing nonconforming rear yard setback				

History of address: N/A

Summary Approved by: AGL

Labels printed 10-19-20

Letter mailed on 10-23-20

300 ft. notice mailed on 10-21-20



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 November 9, 2020 Case# 23-2020 Zoning District R-4

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 906 N. Geyer RD

Type of Work: New Construction Addition Other PATIO COVER

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 *If yes, provide available information that may affect this application.

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 PATRIOT SUN ROOMS INC Phone _____

Address 811 S. KIRKWOOD RD

City/State/Zip KIRKWOOD MO 63122 E-mail jack.m@patriotsunrooms.com

Applicants Signature _____ Date _____

Property Owner Information (if different from above):

Name Tom & LISA KAEBOLE Phone 314 852-7482

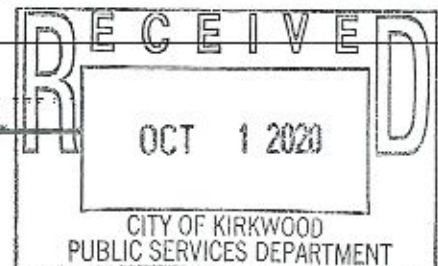
Address 906 NORTH GEYER

City/State/Zip KIRKWOOD MO 63122 E-mail _____

Owner's Signature [Signature] Date _____

CITY'S EXHIBIT NO. 1

Received by: AGL



September 13, 2020

Zoning Board of Adjustment c/o The Building Commissioner
City of Kirkwood, MO
139 S. Kirkwood Road
Kirkwood, MO 63122

RE: Klebolt Residence
906 N Geyer Road
Kirkwood, MO 63122



Dear Mr. Schenck:

This letter is to request a variance for the proposed construction of a single story open patio roof cover over an existing deck in the rear of the Klebolt's property at 906 N Geyer Road. The property at 906 N Geyer Road is located in the R4 Zoning District. The proposed patio cover is in violation of Section 430.7 (4) Rear Yard section a of the Zoning Ordinance of the City of Kirkwood which states that the rear yard setback shall be 30 ft. from the rear property line.

The lot located at 906 N Geyer Road Avenue is 50 ft. wide and 149 ft. deep resulting in a lot area of 7433 sq ft. The Zoning Ordinance states that every lot in R-4 Residential District shall have a minimum width of 60' and a minimum lot area of 7500 sq ft. Even with the smaller than minimum lot size the house and the proposed patio cover will not be in violation of the Lot Coverage limits. The existing house is 1323.1 sq. ft. and the proposed patio cover is 247.75 sq. ft., resulting in 1570.9 sq. ft. or 21.1 % Lot Coverage total. The maximum allowed Lot coverage can be 30% or 1750 sq ft.

The existing house was sited on the lot encroaching into the rear yard setback. The house was built 26.4' from the rear property line resulting in the house projecting 3.6' into the rear yard.

The drawings include an existing site plan with the proposed patio cover and a site plan showing the conditions had the house been built conforming with the required rear yard setback. The second site plan also takes into account that per the Zoning Ordinance in the Rear yard a permitted encroachment is an unenclosed porch or deck not more than one story in height may exceed 10' into the rear yard. If the house were constructed on the rear yard setback and with the permitted encroachment the proposed patio cover could be built in compliance with Kirkwood's Zoning Ordinance.

The hardship encountered on this site is that the existing house was constructed over the rear yard setback line. Since the existing house was built over the rear yard setback it makes the construction of any rear yard covered patio in violation with the Zoning Code. If the house had been constructed with the rear wall on the rear yard setback and with the permitted projection of an open unenclosed roofed structure 10' into the rear yard setback a variance would not be needed for this project.

Mr. & Mrs. Klebolt request a variance for an encroachment into the rear yard setback to construct an open unenclosed patio cover over their existing deck for their use. The patio cover will not affect neighboring properties visually or practically by limiting light or increasing water runoff and it will have no negative effect on the neighborhood.

Respectfully submitted,

Tim Klebolt
Homeowner

Lisa Klebolt
Homeowner

Prepared by: Ann Begemann, Architect

CITY'S EXHIBIT NO. 2

BOUNDARY SURVEY

THE SOUTH 50 FEET OF LOT 6 IN
BLOCK 4 OF AVONDALE
PLAT BOOK 3 PAGE 32,
ST. LOUIS COUNTY RECORDS

NOTES:

- THIS BOUNDARY SURVEY WAS PERFORMED AT THE REQUEST OF AND IS CERTIFIED TO PATRIOT SUNROOMS, INC. DURING THE MONTH OF SEPTEMBER, 2020 AND IS NON TRANSFERABLE.
- THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS, CLASS OF SURVEY: URBAN PROPERTY, BOUNDARY LOCATIONS HAVE BEEN ESTABLISHED USING EVIDENCE FOUND AND SHOWN ON THIS PLAT.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SURVEYOR. NO TITLE COMMITMENT WAS PROVIDED THAT MAY SHOW ADDITIONAL EASEMENTS, SETBACKS OR EXCEPTIONS NOT SHOWN ON THE RECORD PLAT.
- SUBJECT PROPERTY NOW OR FORMERLY OWNED BY: KLEBOLT, TIMOTHY JOHN & LISA M. BK 11320 PG 201
- BASIS OF BEARING: ASSUMED, LOT ANGLES ADOPTED FROM RECORD PLAT AND FOUND MONUMENTS AS SHOWN.



MINNICK SURVEYING, LLC

LC-2009001156

3520 HAMPTON AVE.
ST. LOUIS, MO 63139
(314) 721-9500
MINNICKSURVEYING.COM



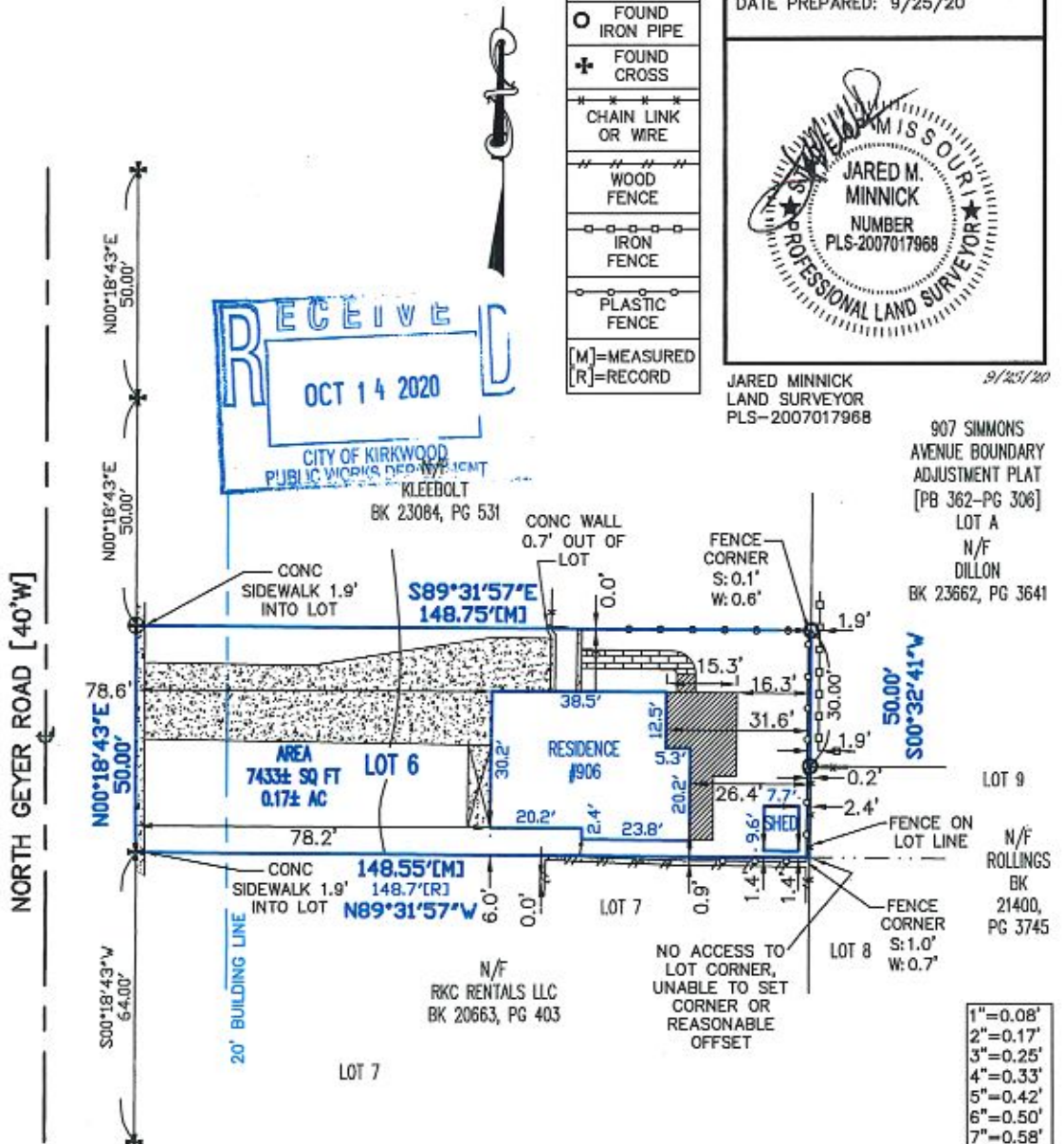
PROJECT: 906 NORTH GEYER ROAD,
KIRKWOOD, ST. LOUIS COUNTY, MO
JOB NUMBER: 8234
DRAWN BY: LGH
DATE PREPARED: 9/25/20



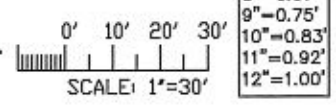
JARED MINNICK
LAND SURVEYOR
PLS-2007017968

907 SIMMONS
AVENUE BOUNDARY
ADJUSTMENT PLAT
[PB 362-PG 306]
LOT A
N/F
DILLON
BK 23662, PG 3641

9/25/20



CITY'S EXHIBIT NO. 3



1"	=0.08'
2"	=0.17'
3"	=0.25'
4"	=0.33'
5"	=0.42'
6"	=0.50'
7"	=0.58'
8"	=0.67'
9"	=0.75'
10"	=0.83'
11"	=0.92'
12"	=1.00'

ST. LOUIS COUNTIAN
AFFIDAVIT OF PUBLICATION

(To be e-mailed when received by City)

CITY'S EXHIBIT NO. 4



WHERE COMMUNITY AND SPIRIT MEET®

October 23, 2020

Jack Montgomery
Patriot Sunrooms
811 S. Kirkwood Rd
Kirkwood, MO 63122

RE: Variance Request
Case No. 23-2020
906 N. Geyer Rd
Zoning District R-4

Dear Sir or Madam:

Your variance request from the Kirkwood Board of Adjustment has been set for Public Hearing, **via Zoom webinar on November 9, 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-430, Sub-Section 430.7(4)(a) of the Zoning Code requires a rear yard setback of 30 feet. The existing, nonconforming rear yard setback is 26.4 feet. Article IV, Section A-430, Sub-Section 430.7 of the Zoning Code states that when nonconforming setbacks are considered as the required setback, an unenclosed porch, deck or paved terrace is not allowed. Although there is an existing deck, the City was unable to locate a permit for said deck and the proposed roof you wish to construct over the deck will encroach 10.1 feet beyond the nonconforming rear yard of 26.4 feet to a distance of 16.3 feet from the rear property line.

Article XI, Section A-1110.3 of Appendix A, allows the Board of Adjustment to grant

CITY'S EXHIBIT NO. 5

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
2. Granting of the variance would observe the spirit of the code, secure public safety and welfare and do substantial justice; and
3. The deviation from the strict application of the zoning code that would be authorized by the area or non-use variance would not constitute a change in the district map, impair an adequate supply of light and air to adjacent property, increase congestion in public streets, increase the danger of fire, materially diminish or impair established property values within the surrounding area, and would not in any other respect impair the public health, safety, comfort, morals and welfare of the City of Kirkwood.

I've enclosed the agenda for the meeting with the Zoom webinar information. You will also be sent the link to the meeting via the email address you provided. Please contact me if you have any questions with regard to this matter before the public hearing.

Sincerely,

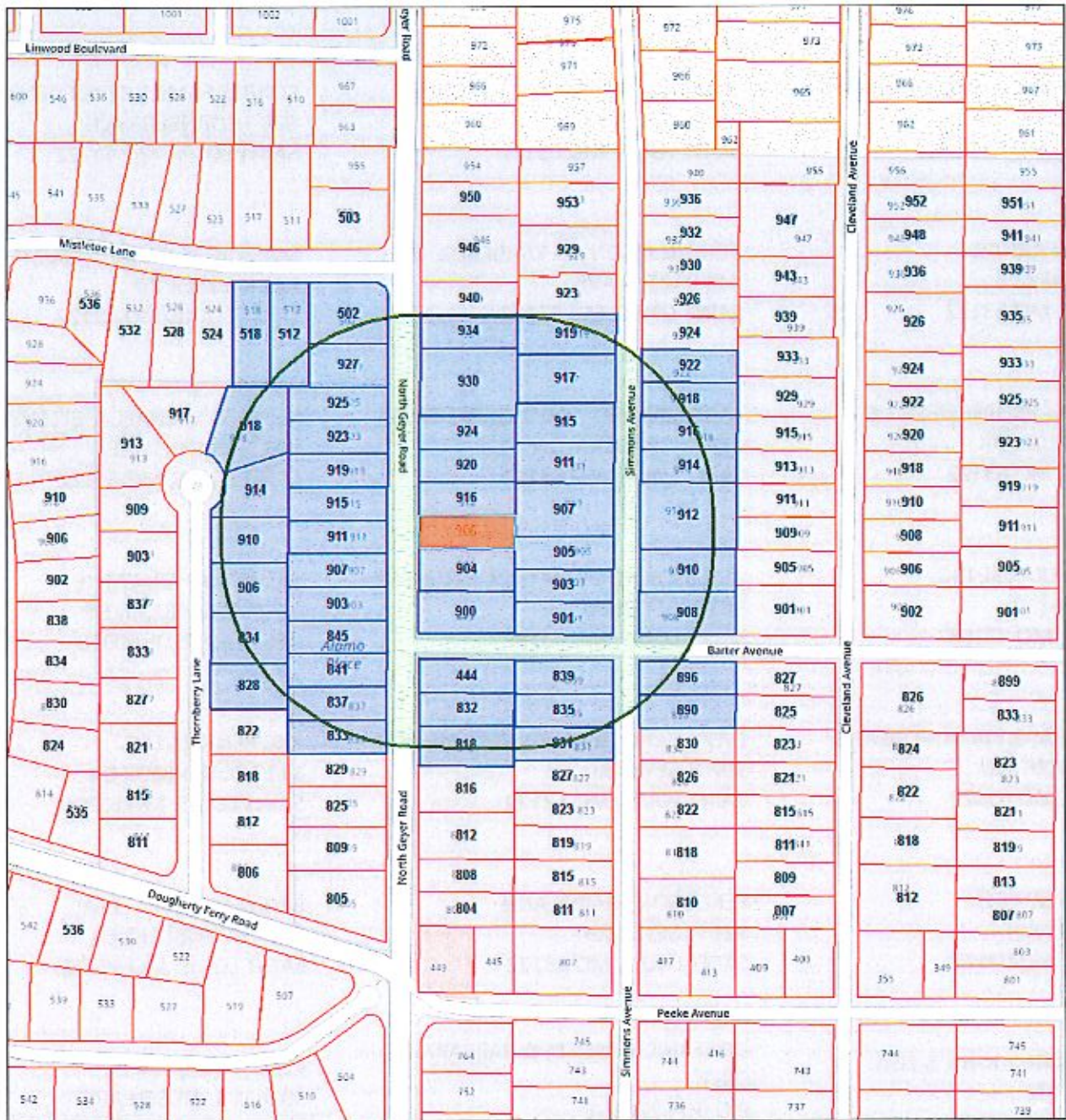


Amy Lowry
City Planner II

Encl. Meeting Agenda

C: Tim & Lisa Klebolt
906 N. Geyer Rd
Kirkwood, MO 63122

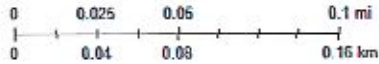
City of Kirkwood Basemap



10/19/2020 11:08:09 AM

- Parcels
- Landmarks**
- Landmarks
- Districts**
- National Register
- Local Register

1:2,257



Map data © OpenStreetMap contributors, CC-BY-SA

CITY'S EXHIBIT NO. 6

MILLS SUSAN L
818 N GEYER RD
SAINT LOUIS, MO 63122

FLOCK FRANK F JR DEBORAH A
833 N GEYER RD
SAINT LOUIS, MO 63122

RUYLE GREG & KELLY H/W
890 SIMMONS AVE
SAINT LOUIS, MO 63122

MCCLOSKEY NEIL & ELIZABETH H/W
832 N GEYER RD
SAINT LOUIS, MO 63122

DAVENPORT JESSICA E & DANIEL R
837 N GEYER RD
SAINT LOUIS, MO 63122

FORBES FAMILY REVOCABLE TRUST
828 THORNBERRY LN
SAINT LOUIS, MO 63122

MAGGIORE JEANNE C
896 SIMMONS AVE
SAINT LOUIS, MO 63122

BROWN JASON L & KIMBERLEE M
444 BARTER AVE
SAINT LOUIS, MO 63122

MARMIGAS DENA TRUSTEE ETAL
841 N GEYER RD
SAINT LOUIS, MO 63122

DANIEL SCOTT PROPERTIES L L C
205 WOODRIDGE DR
SAINT LOUIS, MO 63122

LANE EDWARD W REV LIVING TRUST
834 THORNBERRY LN
SAINT LOUIS, MO 63122

SKINNER MICHAEL A ELLEN A
908 SIMMONS AVE
SAINT LOUIS, MO 63122

ELLMAN ENTERPRISE INC
P O BOX 50004
SAINT LOUIS, MO 63105

ASSESSOR INFORMATION WITHHELD
903 N GEYER RD
SAINT LOUIS, MO 63122

SALVATION ARMY THE
10 W ALGONQUIN DR
DES PLAINES, IL 60016

MACKENZIE BARBARA M ROBERT S
906 THORNBERRY LN
SAINT LOUIS, MO 63122

DAVIS CARLY & PAUL WOODALL JR
907 N GEYER RD
SAINT LOUIS, MO 63122

RKC RENTALS LLC
1117 COLEBROOK DR
SAINT LOUIS, MO 63119

ROLLINGS MARY BETH
905 SIMMONS AVE
SAINT LOUIS, MO 63122

FERGUSON TRACEY ANN
911 N GEYER RD
SAINT LOUIS, MO 63122

BEHNAM REZA ETAL
910 THORNBERRY LN
SAINT LOUIS, MO 63122

KLEBOLT TIMOTHY JOHN & LISA
906 N GEYER RD
SAINT LOUIS, MO 63122

DOBERNIC JAMES M & BARBARA D
JOINT
P O BOX 270351
SAINT LOUIS, MO 63127

KLEBOLT RACHAEL L
5016 WILSHUSEN AVE
SAINT LOUIS, MO 63119

COLEMAN JENIFER M
919 N GEYER RD
SAINT LOUIS, MO 63122

MURRAY DARIN
914 THORNBERRY LN
SAINT LOUIS, MO 63122

STEIMEL BARRY J PHYLLIS K H/W
914 SIMMONS AVE
SAINT LOUIS, MO 63122

LITTLE MANDI F
920 N GEYER RD
SAINT LOUIS, MO 63122

WALDSCHMIDT PATRICK G & THERESE
911 SIMMONS AVE
SAINT LOUIS, MO 63122

ABEL KARA ELIZABETH
923 N GEYER RD
SAINT LOUIS, MO 63122

CLEMENT WILLIAM LEE & SUSAN K
916 SIMMONS AVE
SAINT LOUIS, MO 63122

BECKEMEYER KAYLA M
924 N GEYER RD
SAINT LOUIS, MO 63122

ERNST CHRISTOPHER G
915 SIMMONS AVE
SAINT LOUIS, MO 63122

RIZEN NORMA J
925 N GEYER RD
SAINT LOUIS, MO 63122

LENZ BRANDON LEE
918 THORNBERRY LN
SAINT LOUIS, MO 63122

YENZER DAVID & LISA H/W
918 SIMMONS AVE
SAINT LOUIS, MO 63122

MILLSAP TIMOTHY A & CHRISTINE L
917 SIMMONS AVE
SAINT LOUIS, MO 63122

HAJEK ROBERT T
930 N GEYER RD
SAINT LOUIS, MO 63122

TOBIAS BRIAN A
927 N GEYER RD
SAINT LOUIS, MO 63122

CROW TERRY W & TRISHA E H/W
934 N GEYER RD
SAINT LOUIS, MO 63122

RETZLAFF STEVEN C PAMELA S H/W
919 SIMMONS AVE
SAINT LOUIS, MO 63122

GLICK DAVID M & WEST STACY A H/W
502 MISTLETOE LN
SAINT LOUIS, MO 63122

RYBA GREGORY R & MARISSA L T/E
512 MISTLETOE LN
SAINT LOUIS, MO 63122

SPEIDEL DEAN M & ILONA M H/W
41 RAINTREE CT
FENTON, MO 63026

TROUT LISA C REV TRUST THE ET AL
907 SIMMONS AVE
SAINT LOUIS, MO 63122

DARGUE BRANDT W JUDITH M H/W
912 SIMMONS AVE
SAINT LOUIS, MO 63122

HARRIS DENTON J & CARI E H/W
922 SIMMONS AVE
SAINT LOUIS, MO 63122

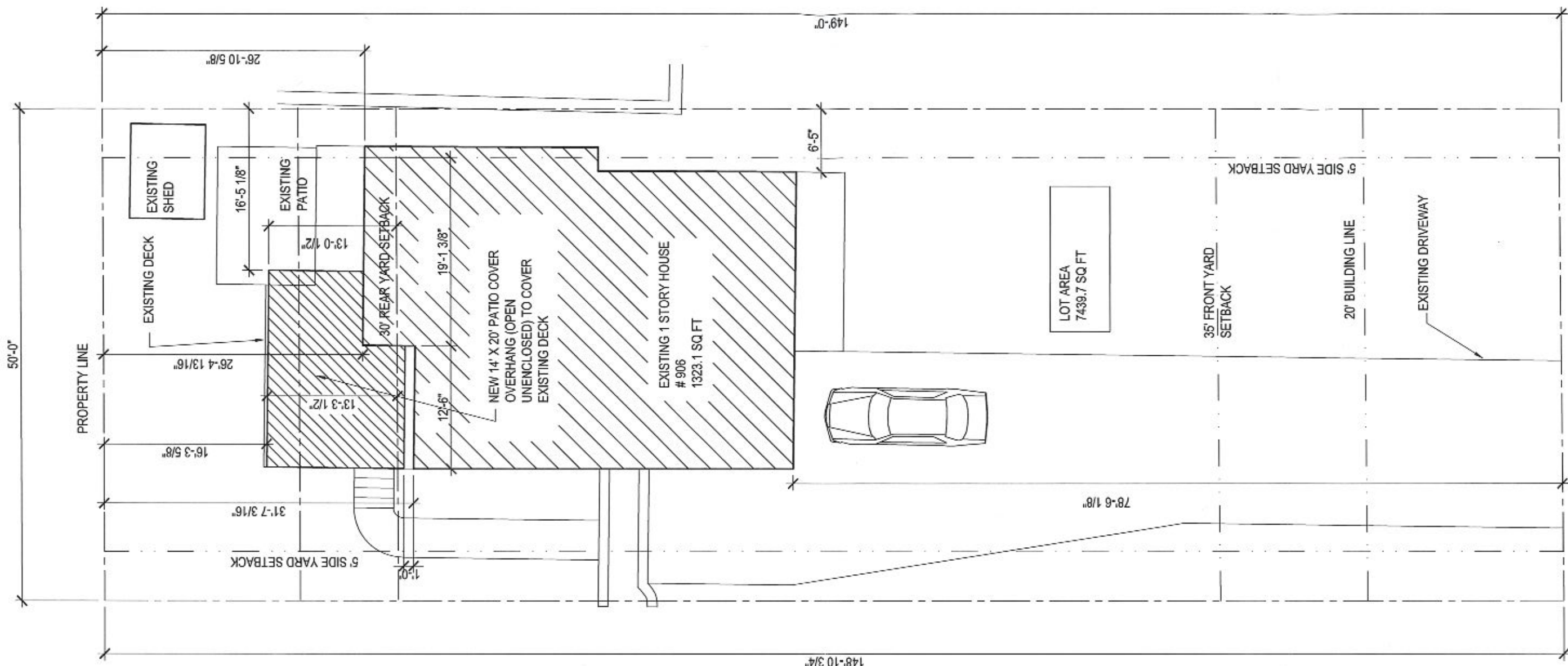
COCKRILL BRIAN C & LAURA H/W
901 SIMMONS AVE
SAINT LOUIS, MO 63122

PROVINSE JASON M & LISA M
831 SIMMONS AVE
SAINT LOUIS, MO 63122

JOHNSON GREGORY M & CLAIRE E
835 SIMMONS AVE
SAINT LOUIS, MO 63122

GERMANO ANTHONY J & KATHERINE
910 SIMMONS AVE
SAINT LOUIS, MO 63122

CHRISTOPHER CARMEN
839 SIMMONS AVE
SAINT LOUIS, MO 63122



RECEIVED
 OCT 14 2020
 CITY OF KIRKWOOD
 PUBLIC WORKS DEPARTMENT

REAR PATIO COVER
 906 N GEYER ROAD
 KIRKWOOD, MO 63122

OWNER:
 Tim & Lisa Klebolt
 906 N Geyer Road
 Kirkwood, MO 63122

BUILDER:
 Patriot Sunrooms & Home Solutions
 811 S. Kirkwood Road
 Kirkwood, MO 63122
 (314) 822-3232

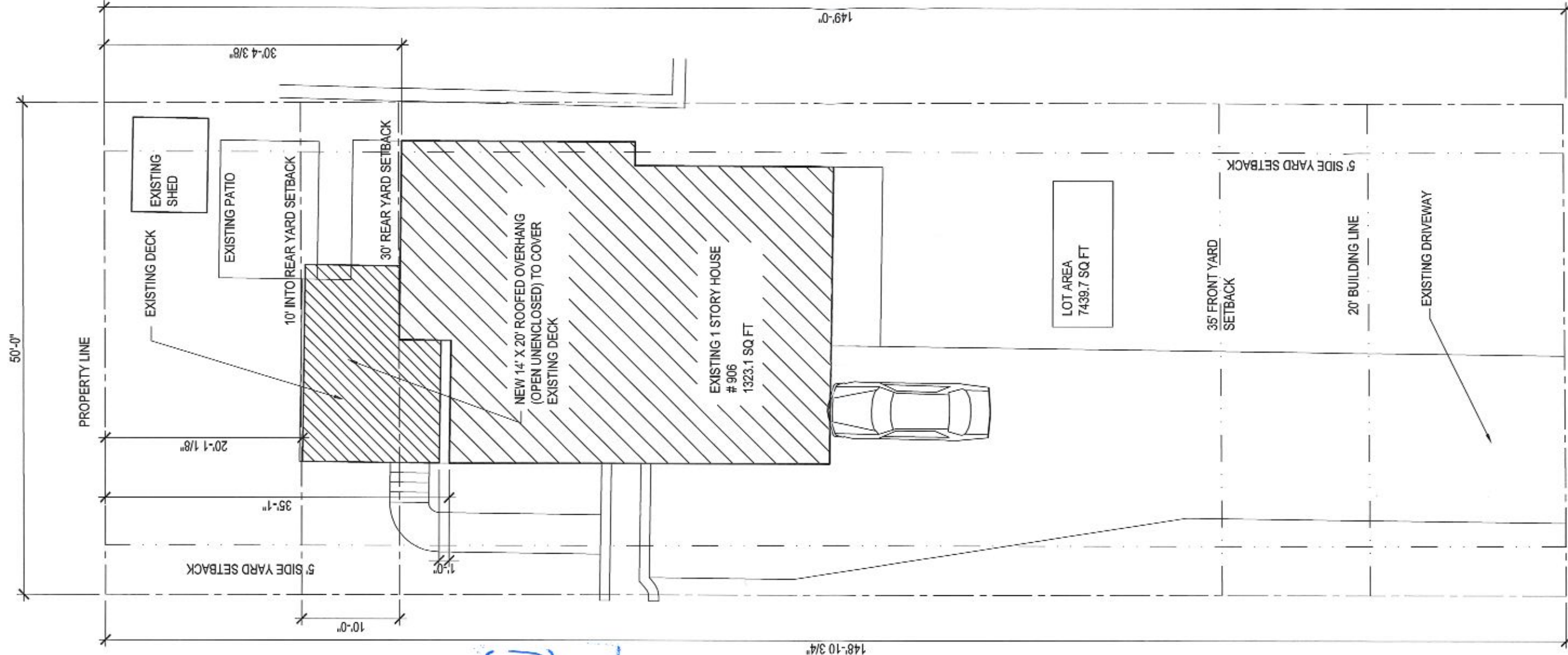
ZONING INFORMATION:
 Zoning District R4
 Front Yard Setback: 35'-0"
 Rear Yard Setback: 30'-0"
 Side Yard Setback: 5'-0"
 Building Height: 35'-0"

Lot Coverage:
 Lot Size: 7433 sq. ft.
 Existing House : 1323.1 sq. ft.
 Proposed Patio Cover: 247.75 sq. ft.
 Total Site Coverage: 1570.9 sq. ft. or 21.1%
 Allowable Lot Coverage 30% or 1750 sq. ft.

1 SITE PLAN 
 SCALE: 3/32" = 1'-0"

THIS SITE PLAN IS BASED ON A SURVEY
 DATED 08/06/2020 BY MINNICK
 SURVEYING LLC. A LICENSED MISSOURI
 SURVEYOR.

CITY'S EXHIBIT NO. 7



RECEIVED
 OCT 14 2020
 CITY OF KIRKWOOD
 PUBLIC WORKS DEPARTMENT

REAR PATIO COVER
 906 N GEYER ROAD
 KIRKWOOD, MO 63122

OWNER:
 Tim & Lisa Klebott
 906 N Geyer Road
 Kirkwood, MO 63122

BUILDER:
 Patriot Sunrooms & Home Solutions
 811 S. Kirkwood Road
 Kirkwood, MO 63122
 (314) 822-3232

ZONING INFORMATION:
 Zoning District R4
 Front Yard Setback: 35'-0"
 Rear Yard Setback: 30'-0"
 Side Yard Setback: 5'-0"
 Building Height: 35'-0"

Lot Coverage:
 Lot Size: 7433 sq. ft.
 Existing House: 1323.1 sq. ft.
 Proposed Patio Cover: 247.75 sq. ft.

 Total Site Coverage: 1570.9 sq. ft. or 21.1%
 Allowable Lot Coverage 30% or 1750 sq.ft.

**THIS SITE PLAN IS IF THE
 HOUSE WERE BUILT ON
 THE REAR YARD SETBACK**

1 SITE PLAN N
 SCALE: 3/32" = 1'-0"

THIS SITE PLAN IS BASED ON A SURVEY
 DATED 08/06/2020 BY MINNICK
 SURVEYING LLC. A LICENSED MISSOURI
 SURVEYOR.

GENERAL DRAWING NOTES:

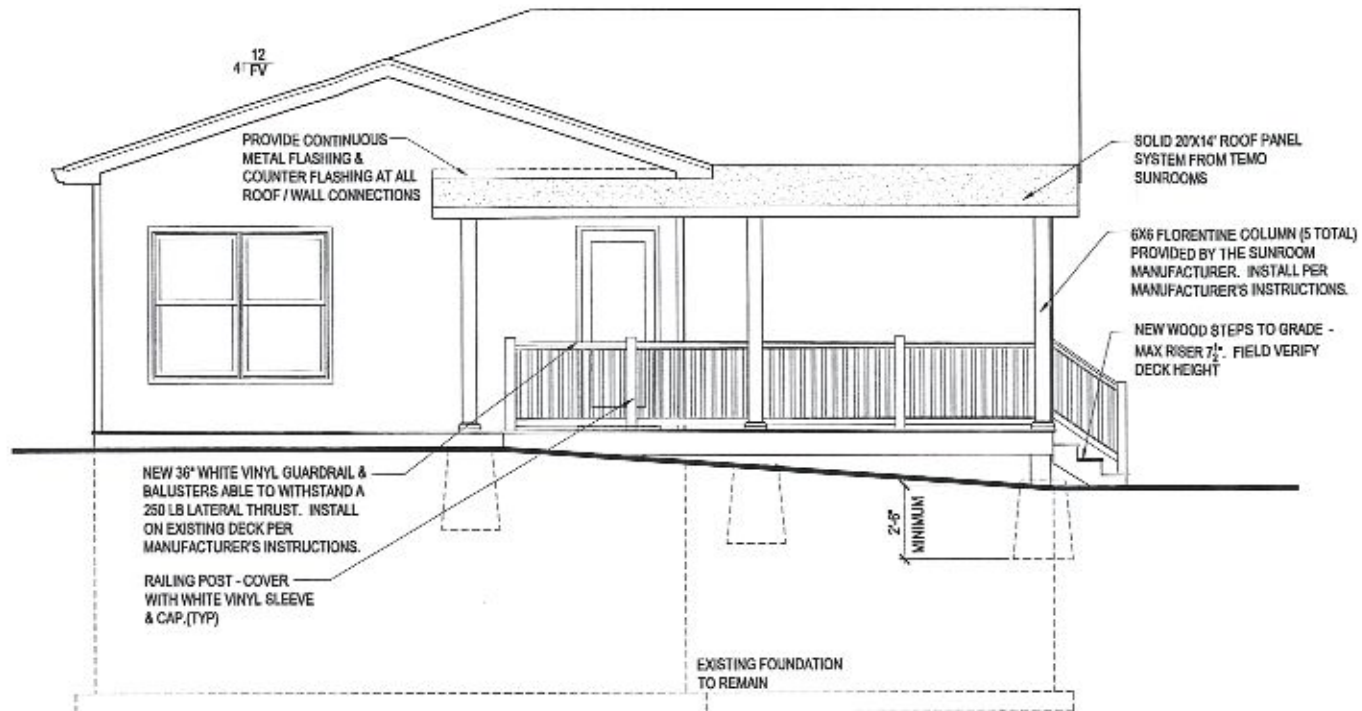
1. CONTRACTOR TO FIELD VERIFY ALL CONDITIONS AND DIMENSIONS PRIOR TO THE START OF ALL WORK. NOTIFY ARCHITECT OF ANY DISCREPANCIES.
2. AT ROOF / WALL INTERSECTION PROVIDE CONTINUOUS METAL FLASHING.
3. PATIO COVER TO BE A PRE FABRICATED ST. THOMAS PATIO COVER MANUFACTURED BY TEMO SUNROOMS. IT IS TO BE INSTALLED BY PATRIOT SUNROOMS & HOME SOLUTIONS PER MANUFACTURER'S SPECIFICATIONS.
4. ALL COMPONENTS TO BE WHITE IN COLOR.

ROOF GENERAL NOTES:

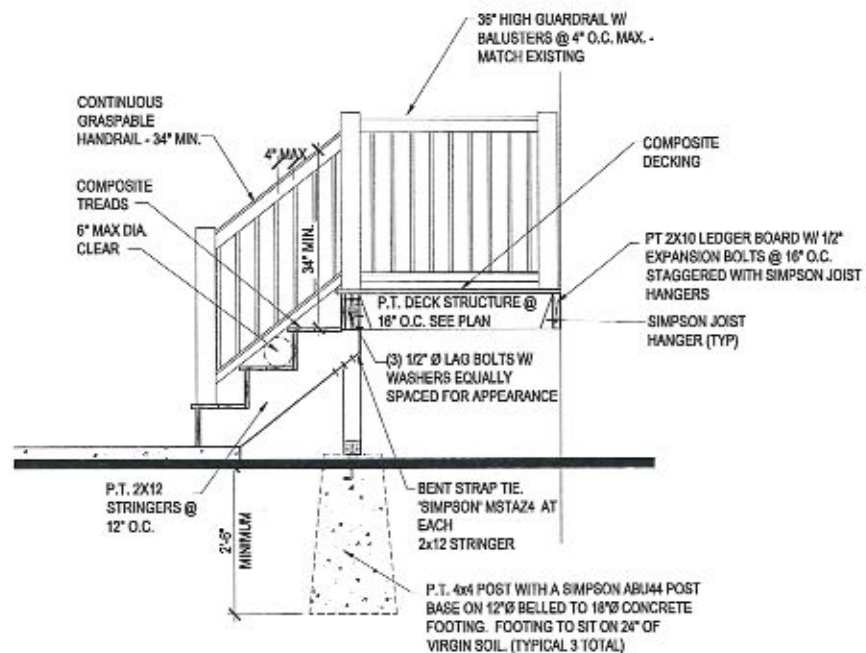
1. ROOF STRUCTURE IS A ST. THOMAS PATIO COVER MANUFACTURED BY TEMO SUNROOMS. INSTALL PER MANUFACTURER'S SPECIFICATIONS.
2. PROVIDE CONTINUOUS METAL FLASHING AT ALL ROOF TO WALL CONNECTIONS.

GENERAL ELEVATION NOTES:

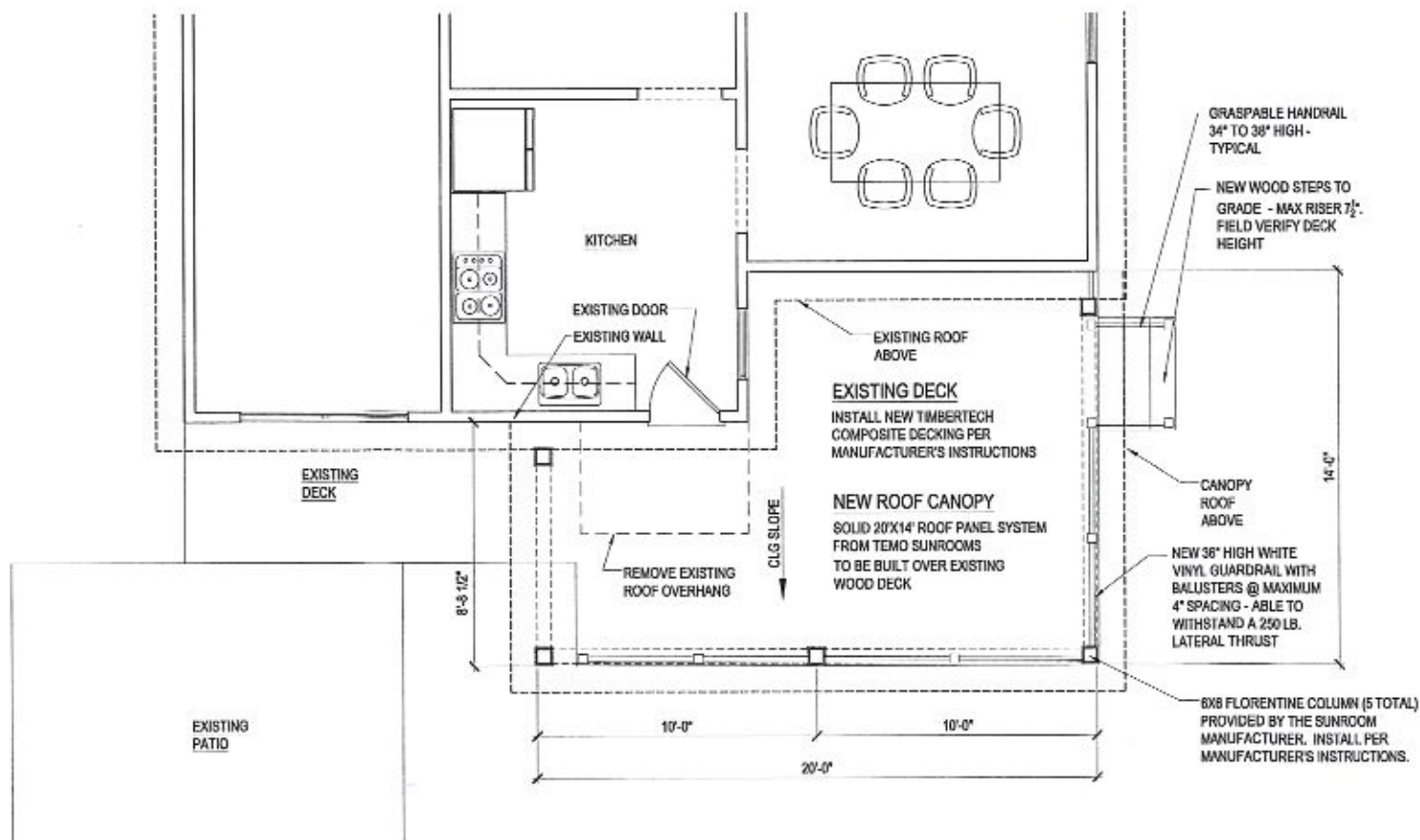
1. PATIO COVER TO BE A PRE FABRICATED ST. THOMAS PATIO COVER MANUFACTURED BY TEMO SUNROOMS. IT IS TO BE INSTALLED BY PATRIOT SUNROOMS & HOME SOLUTIONS PER MANUFACTURER'S SPECIFICATIONS.
2. ALL COMPONENTS TO BE WHITE IN COLOR.
3. AT ROOF / WALL INTERSECTION PROVIDE CONTINUOUS METAL FLASHING.



1 REAR ELEVATION
SCALE: 1/4" = 1'-0"



2 STAIR SECTION
SCALE: 1/2" = 1'-0"



NOTE: ALL PATIO ROOF COVER COMPONENTS TO BE SUPPLIED BY PATRIOT SUNROOMS. INSTALL PER MANUFACTURER'S INSTRUCTIONS.

3 PARTIAL FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

FIELD VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS PRIOR TO THE START OF ANY AND ALL WORK

SEAL

Ann Begemann, ARCHITECT
begemann_ann@sbcglobal.net
(314) 614-0686

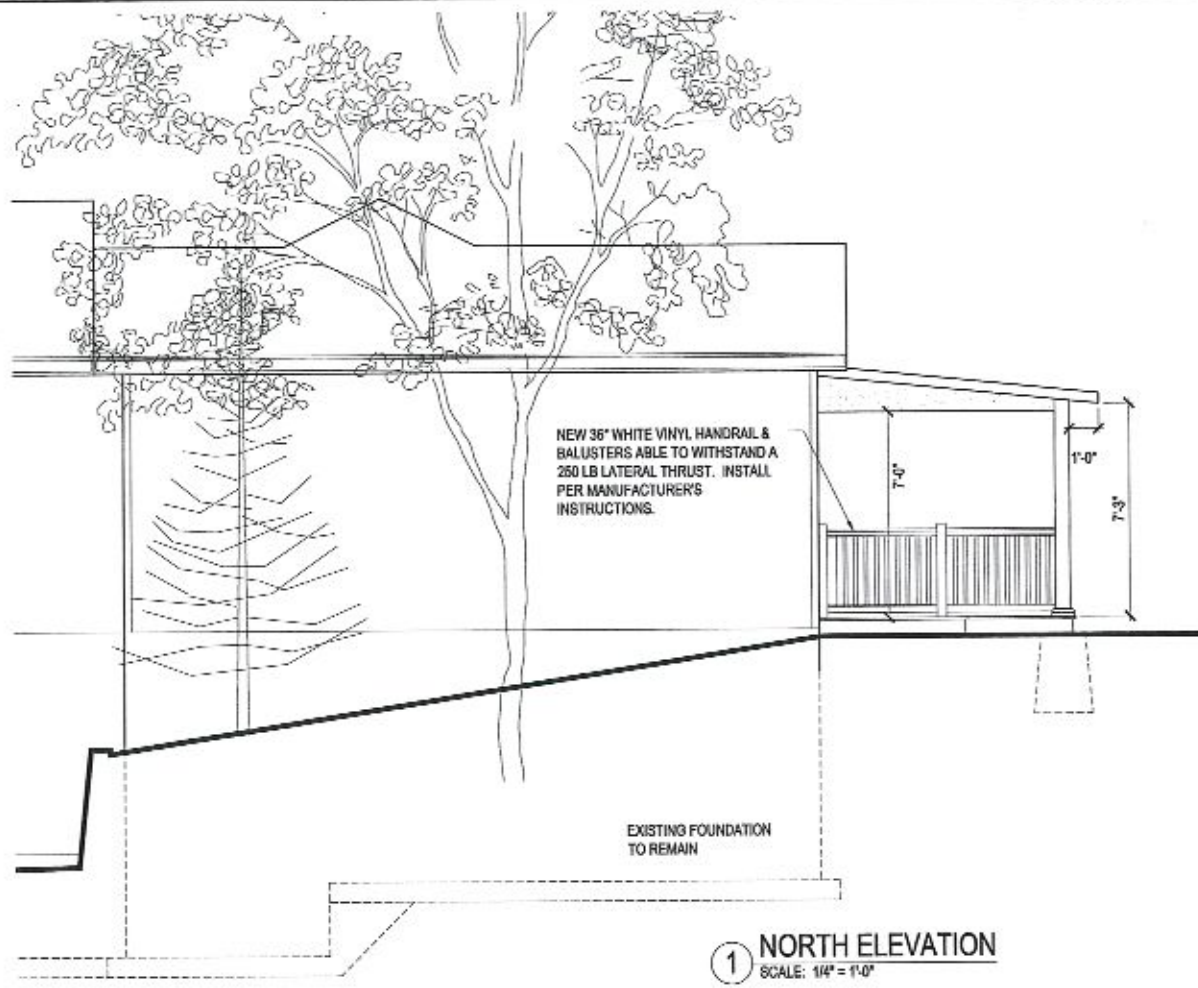
PATIO COVER
to the Klebolt Residence
906 North Geyer Road
Kirkwood, MO 63122



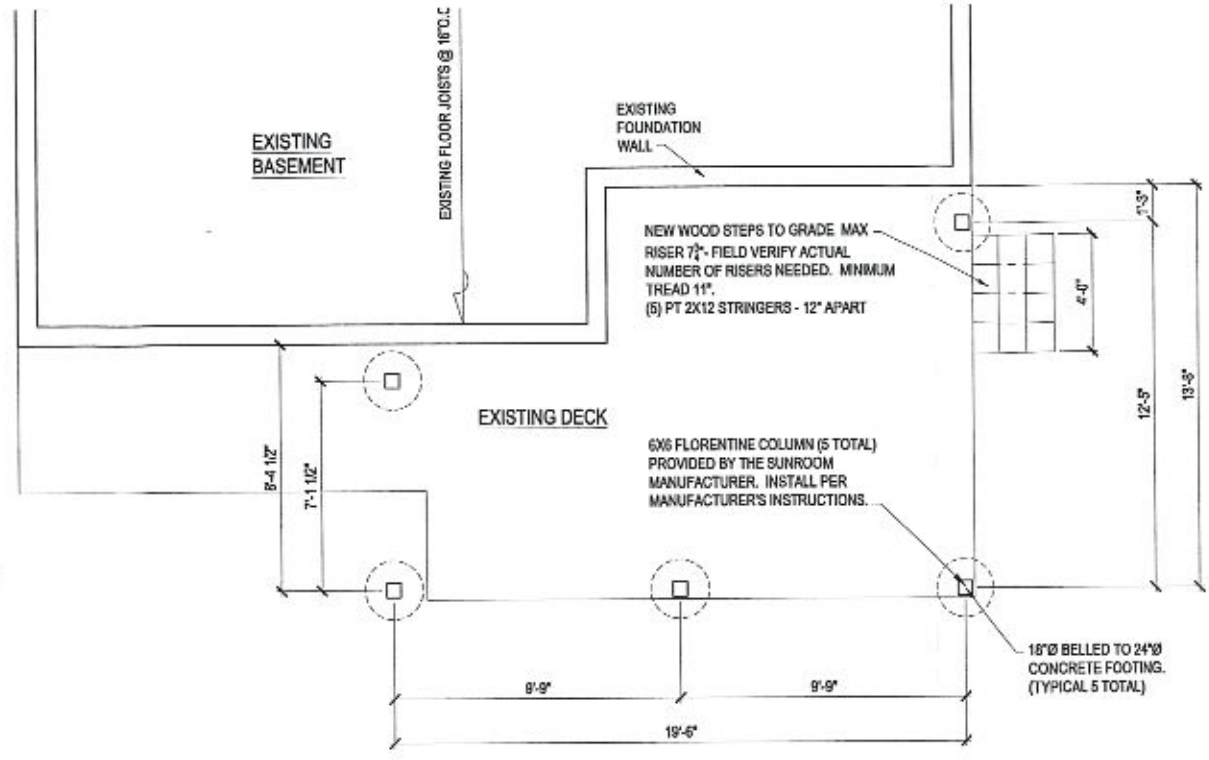
REV	DATE	ISSUE
1	6.28.20	VARIANCE APPLICATION

SHEET NUMBER

A1

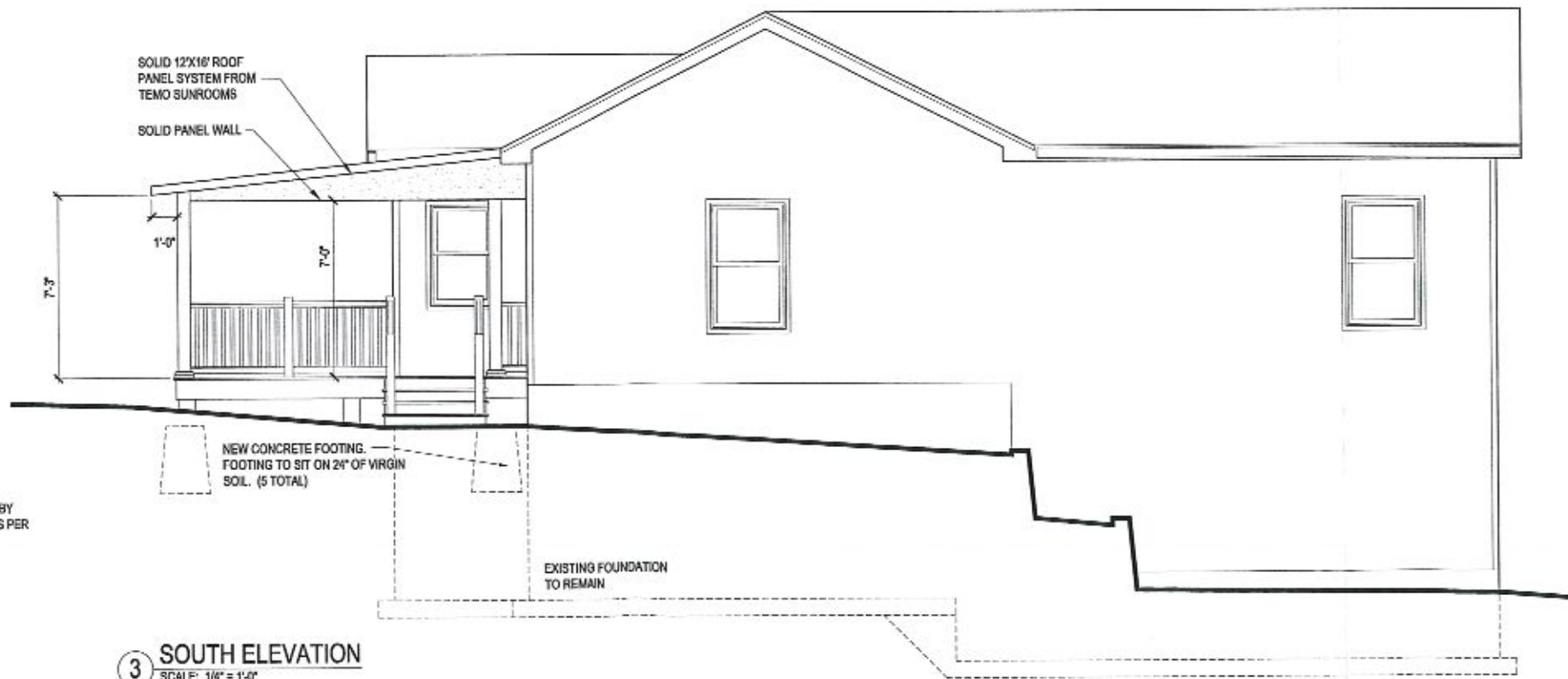


1 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



2 PARTIAL FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

FIELD VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS PRIOR TO THE START OF ANY AND ALL WORK



3 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

GENERAL ELEVATION NOTES:

1. PATIO COVER TO BE A PRE-FABRICATED ST. THOMAS PATIO COVER MANUFACTURED BY 'TEMO SUNROOMS'. IT IS TO BE INSTALLED BY PATRIOT SUNROOMS & HOME SOLUTIONS PER MANUFACTURER'S SPECIFICATIONS.
2. ALL COMPONENTS TO BE WHITE IN COLOR.
3. AT ROOF / WALL INTERSECTION PROVIDE CONTINUOUS METAL FLASHING.

SEAL

Ann Begemann, ARCHITECT
begemann_ann@sbcglobal.net
(314) 614-0686

PATIO COVER
to the Klebolt Residence
906 North Geyer Road
Kirkwood, MO 63122



REV.	DATE	ISSUE
1	8.28.20	MANAGE APPLICATION

SHEET NUMBER

A2

Case Summary

Case Number		24-2020			
Zoning District		R-1			
Project Address		911 W. Adams Ave			
Applicant Name		Wayne A. Viers			
Property Owner		Same as above			
Article	IV Fences	Section	5-39	Sub-Section	5-39(c)
Variance Request		Height of Fence in Front of Front Building Line			
Required		48"			
Proposed		6'			
Article	IV Fences	Section	5-40	Sub-Section	5-40(a)
Variance Request		Openness of Fence in Front of Front Building Line			
Required		1/3 open			
Proposed		Full privacy			

History of address:

Summary Approved by: AGL

Labels printed 10-19-20

Letter mailed on 10-23-20

300 ft. notice mailed on 10-21-20



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 November 9, 2020 Case# 24-2020 Zoning District R-1

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 911 West Adams 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 *If yes, provide available information that may affect this application.

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 Wayne A. Viers Phone 314-491-8641

Address 911 West Adams Ave.

City/State/Zip Kirkwood / MO / 63122 E-mail tracyviers@gmail.com

Applicants Signature [Signature] Date 10/8/2020

Property Owner Information (if different from above):

Name _____ Phone _____

Address _____

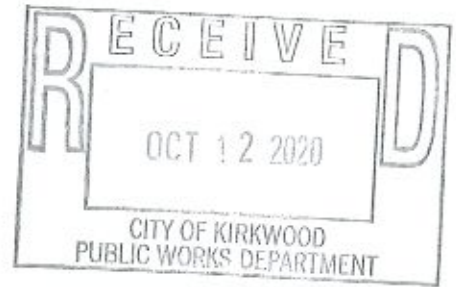
City/State/Zip _____ E-mail _____

Owner's Signature _____ Date _____

Received by: AGL

CITY'S EXHIBIT NO. 1

911 West Adams Avenue
Board of Adjustment Hardship letter



Members of the Board,

I am asking for a variance to the fence code because my back yard is zoned as my front yard due to Adams curving towards the back side of my house. The front of my house is considered a side yard because my very long (~200 foot) driveway runs off a tangent of Adams before it takes the curve toward my plot of land. These conditions are not allowing me to put a 6ft fence in my backyard which I need for my 100 pound, 3 foot tall dog, who could easily clear a 6ft fence especially considering the fence will be on a hill making it even easier to scale at certain points. This house has been in my family for a long time and my grandparents had a dog killed by a vehicle on Adams due to its curves and lack of lighting so a proper fence in our backyard is crucial. In addition to the height variance we are also seeking a variance for the for the visibility requirement because our proposed fence is connecting to an existing stretch of 6ft closed fence that has been in the backyard/side yard for many years. The fence at its closest to the boundary line of the property will be at least 50ft from the property line.

I believe the variance should be granted because the spirit of the reason of the fencing code for front yards does not apply at all to the yard in question (again my backyard/side yard that is unfortunately zoned as my front yard). It is incredibly clear to anyone who sees the yard that it is not the front of the house and the proposed fence will not be at all visible from any neighbors' homes or even from any publicly accessible land. The view of the proposed fence from Adams is ~150 feet away and the fence is also ~40-60 feet higher than the street. Leaving alone the fence, you will see from the photographs I have taken from Adams, the top of my second story is not even visible! The fence will not obscure the house in any way nor will it have any effect of the aesthetic of the neighborhood.

Please help us keep our dogs safe

Thanks,

Wayne Viers

CITY'S EXHIBIT NO. 2

SURVEYOR'S REAL PROPERTY REPORT

LOTS 2 AND 3 OF QUARRY ESTATES , A SUBDIVISION RECORDED IN PLAT BOOK 120 PAGE 58 ST LOUIS COUNTY, MISSOURI

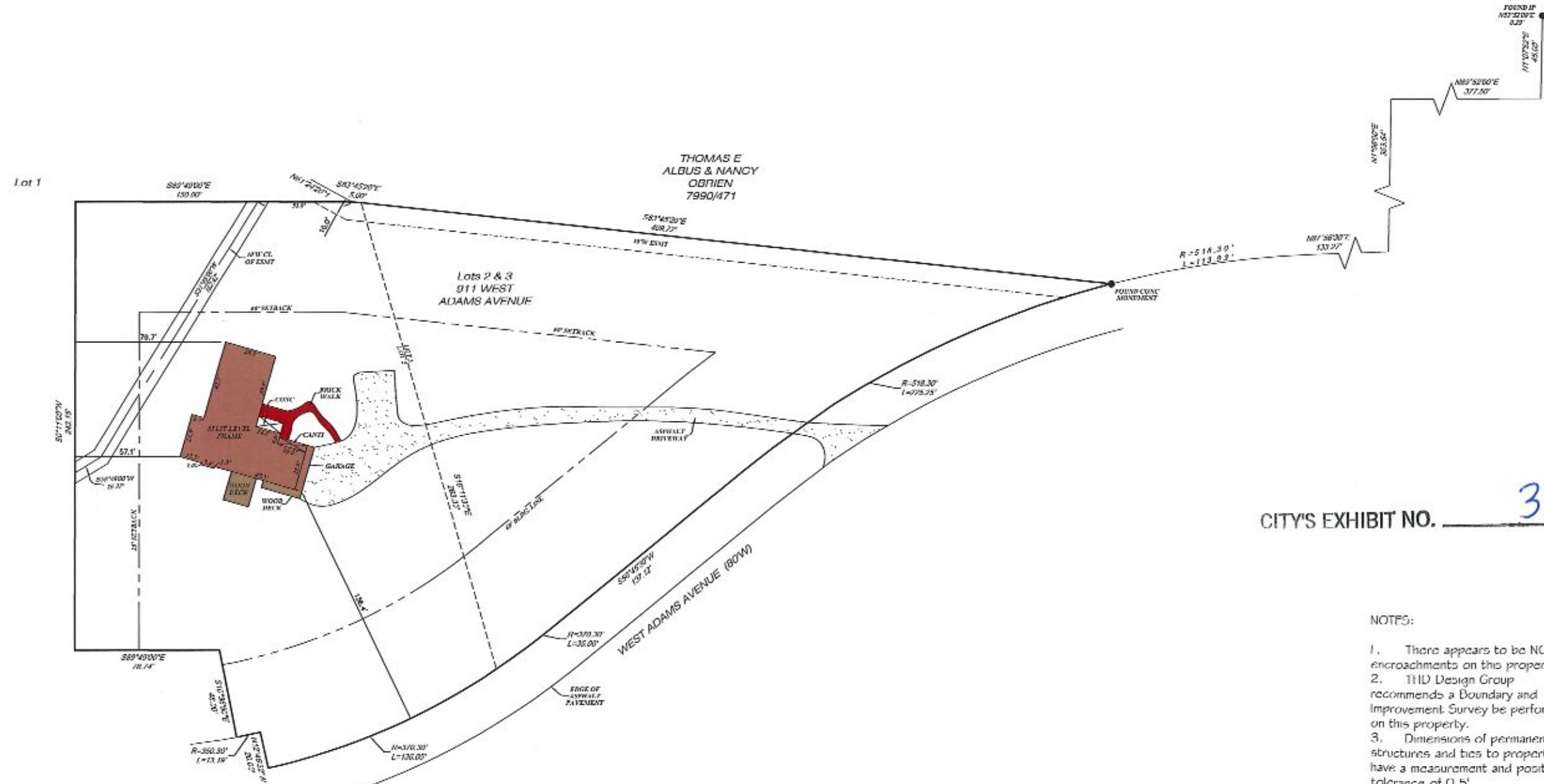
BASIS OF BEARINGS:
P.B. 120, PG. 58

LEGEND
--- "EXISTING"
--- "NEW/STAKE"

**SCHEDULE B SECTION II:
NO TITLE PROVIDED**

SURVEYOR'S STATEMENT: THIS DRAWING IS A REPRESENTATION OF THE CONDITIONS THAT WERE FOUND AT THE TIME OF INSPECTION. THIS REPORT WAS EITHER CONDUCTED BY A LAND SURVEYOR OR UNDER HIS DIRECTION. THIS DOCUMENT DOES NOT CONSTITUTE A BOUNDARY SURVEY AND IS SUBJECT TO ANY INACCURACIES THAT A BOUNDARY SURVEY MAY DISCLOSE. PROPERTY CORNERS WERE NOT SET, AND THE INFORMATION SHOWN ON THIS DRAWING SHOULD NOT BE USED TO ESTABLISH ANY FENCE, STRUCTURE, OR ANY OTHER IMPROVEMENT. THE BEARINGS, DISTANCES, AND ANGLES SHOWN ON THIS DRAWING ARE BASED ON RECORD INFORMATION THAT HAS NOT BEEN VERIFIED. NO WARRANTY IS BEING EXTENDED TO THE PRESENT OR FUTURE OWNERS. BUILDING SETBACKS SHOWN ON THIS DRAWING ARE FROM RECORD INFORMATION, NO GUARANTEE IS MADE AS TO THE CURRENT STATUS OF ZONING REQUIREMENTS.

I, ERNEST P. TURNER, A DULY REGISTERED LAND SURVEYOR, LICENSED IN THE STATE OF MISSOURI HEREBY STATE FOR AND ON BEHALF OF THD DESIGN GROUP TO TREV VIEKS, THAT THE WORK DONE ON THE ABOVE DESCRIBED PREMISES WAS CONDUCTED BY ME OR UNDER MY RESPONSIBLE CHARGE ON OCTOBER 13, 2020; THAT SAID WORK AND THE ATTACHED PRINT HEREON WERE EXECUTED IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR SURVEYOR'S REAL PROPERTY REPORTS.



CITY'S EXHIBIT NO. 3

NOTES:

1. There appears to be NO encroachments on this property.
2. THD Design Group recommends a Boundary and Improvement Survey be performed on this property.
3. Dimensions of permanent structures and ties to property lines have a measurement and positional tolerance of 0.5'.

NO. 2020-7
DATE: 10/16/2020
DRAWN BY: DKS
CHECK: PT

THD DESIGN GROUP, INC.
"Your solution for engineering and surveying"
148 CRYSTALFIELD INDUSTRIAL BLVD. STE. E. CRYSTALFIELD, MO 63025
TEL: 636-994-3975
FAX: 636-994-3976
WEB: THDDESIGNGROUP.COM
CORPORATE CERTIFICATE OF AUTHORITY # 2013101413

SURVEYOR'S REAL PROPERTY REPORT
LOTS 2 AND 3 OF QUARRY ESTATES ,
A SUBDIVISION RECORDED IN
PLAT BOOK 120 PAGE 58
ST LOUIS COUNTY, MISSOURI



ERNEST P. TURNER
REGISTERED P.L.S. #1610
THD DESIGN GROUP, INC.



ST. LOUIS COUNTIAN
AFFIDAVIT OF PUBLICATION

(To be e-mailed when received by City)

CITY'S EXHIBIT NO. 4



WHERE COMMUNITY AND SPIRIT MEET®

October 23, 2020

Wayne A. Viers
911 W. Adams Avenue
Kirkwood, MO 63122

RE: Variance Request
Case No. 24-2020
911 W. Adams Avenue
Zoning District R-1

Dear Mr. Viers:

Your variance request from the Kirkwood Board of Adjustment has been set for Public Hearing **via Zoom webinar on November 9, 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 Chapter 5, Article IV, Section 5-45 of the Code of Ordinances 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.

Chapter 5, Article IV, Section 5-39(c) of the Code of Ordinances requires that fences located in front of the front building line of any residentially zoned or residentially occupied lot shall not exceed 48 inches in height, except as provided otherwise within this article. On corner, through, or on any other multiple-frontage lots, this height restriction shall apply only to the street frontage upon which the house is addressed. The fence you wish to install in front of the front building line is 6' in height.

Chapter 5, Article IV, Section 5-40(a) of the Code of Ordinances requires that fences located in front of the front building line of any residentially zoned or residentially occupied lot shall be 1/3 open, except as provided otherwise within this article. On corner, through, or on any other multiple-frontage lots, this openness restriction shall apply only to the street frontage upon which the house is addressed. The fence you wish

CITY'S EXHIBIT NO. 5

to install in front of the front building line is a full privacy fence.

Chapter 5, Article IV, Section 5-45(b) of the Code of Ordinances, allows the Board of Adjustment to grant variances from the fence requirements when the applicant can prove to the Board that the applicant would be subject to an undue hardship because of:

1. The limitations on character, size, or dimensions of a fence; or
2. The regulations controlling the erection or installation of a fence, or
3. The fence is a historic restoration of the property; or
4. Due to the nature, shape, size or area of the lot such as through lots or three frontage lots, no unreasonable area is available for the use and privacy of the resident, the permittee would be subject to undue hardship. Undue hardship is not a mere loss of a possible advantage of convenience to the applicant.

If it is determined that the applicant for a variance is subject to an undue hardship, then the Board of Adjustment shall also determine that the proposed fence:

1. Will not be inappropriate to the scale of the building to which it relates or to the aesthetic environment of the surrounding structures and land use;
2. Will not impair an adequate supply of light and air to the adjacent property;
3. Will not adversely affect the character of the neighborhood; and
4. Will not adversely affect the general health, safety and welfare of the community.

The board's decision on an appeal shall be incorporated on the fence permit by reference to the decision number and date of decision.

I've enclosed the agenda for the meeting with the Zoom webinar information. You will also be sent the link to the meeting via email. Please contact me if you have any questions with regard to this matter before the public hearing.

Sincerely,



Amy Lowry
City Planner II

Encl. Meeting Agenda

City of Kirkwood Basemap



10/19/2020 10:49:40 AM

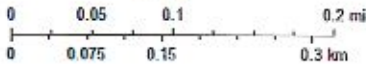
Parcel

Landmarks

Districts

- National Register
- Local Register

1:4,614



Map data © OpenStreetMap contributors, CC-BY-SA

CITY'S EXHIBIT NO. _____

6

VIERS VEDA B WAYNE A
911 W ADAMS AVE
SAINT LOUIS, MO 63122

OLIVER SANDRA W DONALD R
919 W ADAMS AVE
SAINT LOUIS, MO 63122

ALBUS THOMAS & NANCY OBRIEN
901 W ADAMS AVE
SAINT LOUIS, MO 63122

ROMINE MARY C
7 SUGAR CREEK TRL
SAINT LOUIS, MO 63122

FITZGERALD SEAN & SHORE
FITZGERALD
8 SUGAR CREEK TRL
SAINT LOUIS, MO 63122

315 SUGAR CREEK LLC
315 SUGAR CREEK RD
SAINT LOUIS, MO 63122

FROST ALAN K NANCY
6 SUGAR CREEK TRL
SAINT LOUIS, MO 63122

HOFFMAN DOROTHY C
35 COUCH AVE
SAINT LOUIS, MO 63122

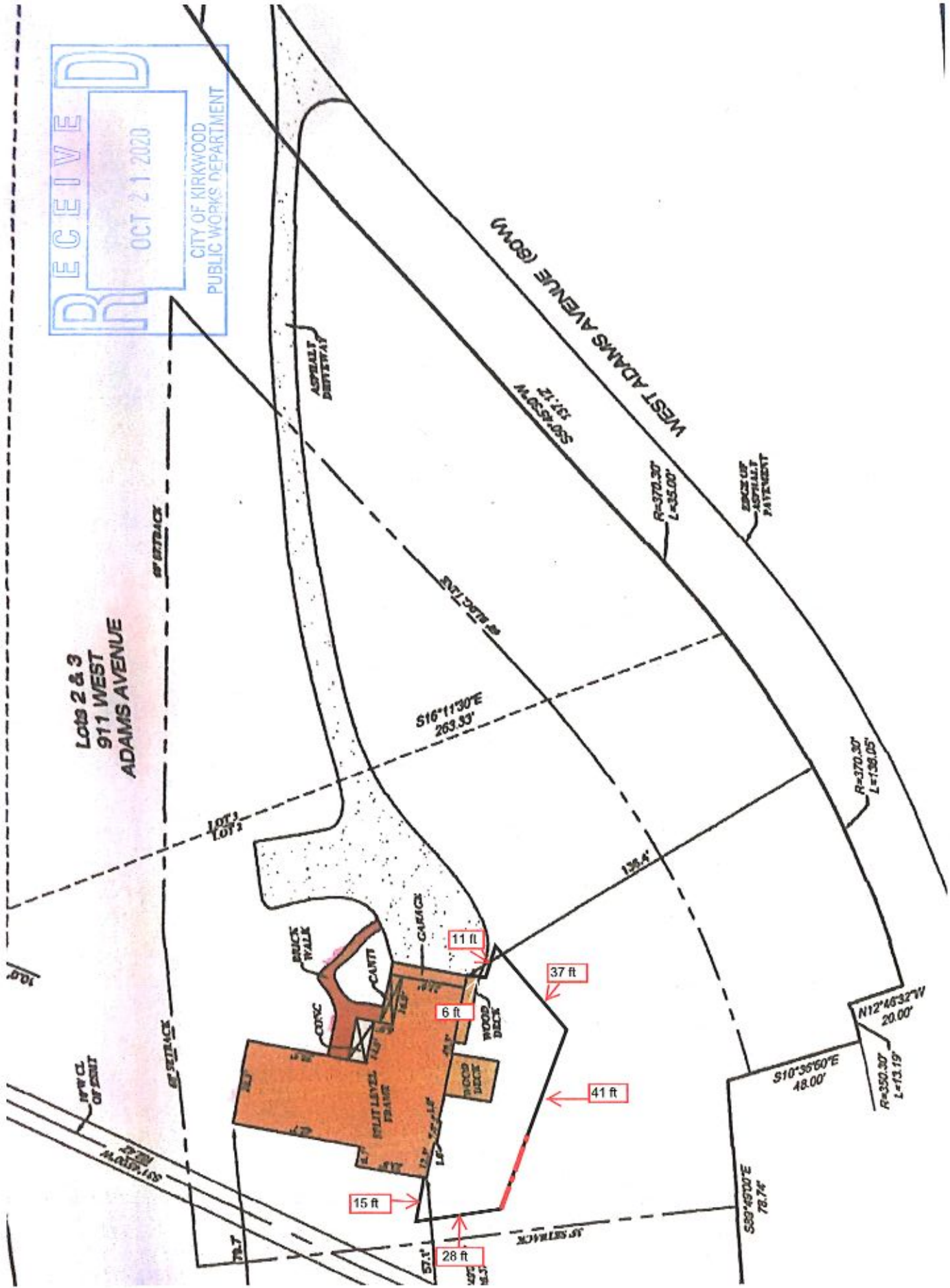
WAHLMANN GWYN A
1002 W ADAMS AVE
SAINT LOUIS, MO 63122

FREI ROBERT & FRANCES H
1017 W ADAMS AVE
SAINT LOUIS, MO 63122

KIRKWOOD CITY OF MISSOURI
PUBLIC
139 S KIRKWOOD RD
SAINT LOUIS, MO 63122



RECEIVED
 OCT 21 2020
 CITY OF KIRKWOOD
 PUBLIC WORKS DEPARTMENT



Scanned with CamScanner

CITY EXHIBIT NO. 7

911 West Adams Fence Additional Materials



A reference of where I am standing on Adams facing the street.

Figure 1



View of the proposed fence from the closest point on Adams to the where the proposed fence (just short of Rifle Range Road). No part of the fence will be visible due to being at least 40 ft higher in elevation and at least 200ft away.

Figure 2



Figure 3

View from Adams at the bottom of the driveway. Even if the argument that the fence is not in the “front yard” does not prevail it has to be recognized that the fence will be impossible to view without standing in our property.



View of the front of the house. To the right is what has always been considered the front yard. To the left off screen is where the fence would be built.

Figure 4



Figure 5

View of the entry to the side yard where the gate of the fence would protrude perpendicular to the front of the garage.

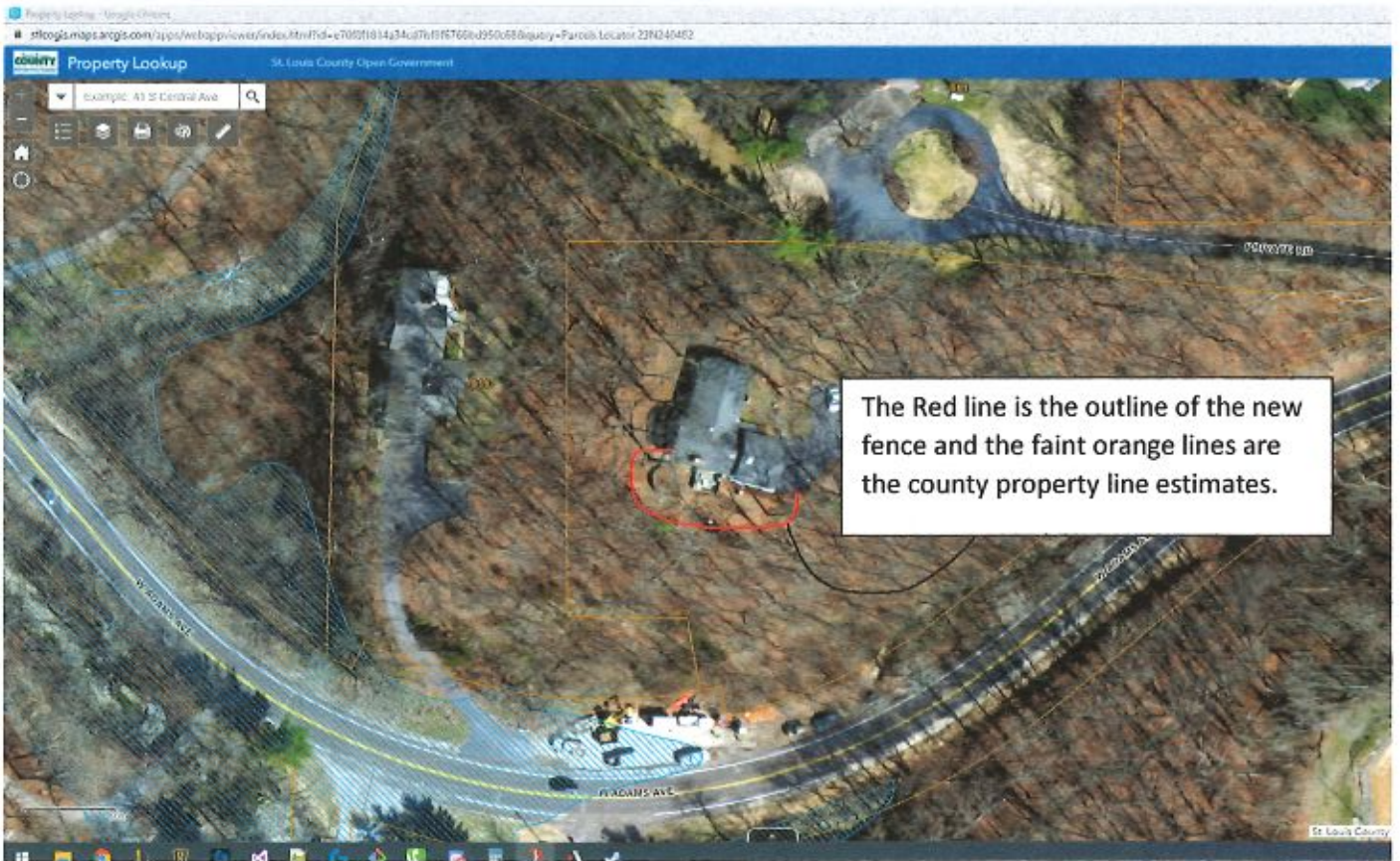


Same view looking along the front of the garage.

Figure 6



Figure 7



The Red line is the outline of the new fence and the faint orange lines are the county property line estimates.

Figure 8

Faint orange line show the approximate county lot lines and the red shows the proposed location of the fence.