



Board of Adjustment

6801 Delmar Boulevard · University City, Missouri 63130 · 314-505-8500 · Fax: 314-862-3168

Roll Call MEETING OF THE BOARD OF ADJUSTMENT
VIA VIDEOCONFERENCE
Thursday February 1, 2024
6:00 p.m.

IMPORTANT NOTICE REGARDING
PUBLIC ACCESS TO THE BOARD OF ADJUSTMENT MEETING & PARTICIPATION

Board of Adjustment will Meet Electronically on February 1, 2024

On March 20, 2020, City Manager Gregory Rose declared a State of Emergency for the City of University City due to the COVID-19 Pandemic. Due to the current order restricting gatherings of people and the ongoing efforts to limit the spread of the COVID-19 virus, the February 1, 2024 meeting will be conducted via videoconference.

Observe and/or Listen to the Meeting (your options to join the meeting are below):

Webinar via the link below:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85343401456?pwd=V1daeTRSVXBIUk5yeXZLc2VNc3pCUT09>

Passcode: 802080

Or One tap mobile :

+13092053325,,85343401456#,,,,*802080# US

+13126266799,,85343401456#,,,,*802080# US (Chicago)

Or Telephone:

Dial(for higher quality, dial a number based on your current location): +1 309 205 3325 US, +1 312 626 6799 US (Chicago), +1 646 931 3860 US, +1 929 205 6099 US (New York), +1 301 715 8592 US (Washington DC), +1 305 224 1968 US, +1 564 217 2000 US, +1 669 444 9171 US, +1 669 900 6833 US (San Jose), +1 689 278 1000 US, +1 719 359 4580 US, +1 253 205 0468 US, +1 253 215 8782 US (Tacoma), +1 346 248 7799 US (Houston), +1 360 209 5623 US, +1 386 347 5053 US, +1 507 473 4847 US

Webinar ID: 853 4340 1456

Passcode: 802080

International numbers available: <https://us02web.zoom.us/j/85343401456>

Citizen Participation

Those who wish to provide a comment during the “Public Comment” and/or “Public Hearing” portions of the agenda: may provide written comments or request video participation invites to the Director of Planning and Development ahead of the meeting. Please specify which case and portion of the agenda you wish to comment.

ALL written comments or video participation invites must be received **no later than 12:00 p.m. the day of the meeting**. Comments may be sent via email to: jwagner@ucitymo.org or mailed to

the City Hall – 6801 Delmar Blvd. – Attention John L. Wagner, Director of Planning and Development. Such comments will be provided to the Board prior to the meeting. Comments will be made a part of the official record and made accessible to the public online following the meeting. Please note, when submitting your comments or invites, a **name and address must be provided**. Please also note if your comment is on an agenda or non-agenda item, and a name and address are not provided, the provided comment will not be recorded in the official record.

The City apologizes for any inconvenience the meeting format change may pose to individuals, but it is extremely important that extra measures be taken to protect employees, residents board/commission members and elected officials during these challenging times.

AGENDA

BOARD OF ADJUSTMENT

1. Roll Call
2. Public & Agenda Item Comments – (Limited to 3 minutes for individual’s comments, 5 minutes for representatives of groups or organizations.)
3. Old Business
 - a. **Variance Request – BOA 22-02.**

Applicant: William Berthold, on behalf of Laurent and Elizabeth Torno
Request: Variance to maintain a minimum lot width of thirty-seven and a half feet (37.5’) in lieu of forty (40) feet and to maintain a side yard setback of one and a half feet (1.5) feet in lieu of five (5) feet.
Address: 7111 Waterman Avenue
(VOTE REQUIRED)
4. New Business
 - a. **Variance Request – BOA 23-01.**

Applicant: Michael Felton and Rhae Yancey
Request: Variance to maintain a front yard setback of seven (7) feet in lieu of four (4) feet for overhanging eaves and gutters.
Address: 7452 University Drive
(VOTE REQUIRED)
 - b. **Variance Request – BOA 24-01.**

Applicant: Shaun Dodson, on behalf of MAA Properties
Request: Variance to maintain a building and parking side-yard setback of two (2) feet in lieu of five (5) feet, as required by §400.1130(C)(6)(f), and to maintain an off-street parking side-yard setback of three (3) feet in lieu of five (5) feet, as required by §400.2020(D) of the University City Zoning Code.
Address: 6282 Cates Avenue
(VOTE REQUIRED)
 - c. **Variance Request – BOA 24-02.**

Applicant: Max Sassouni, on behalf of Stone and Alter Real Estate Company
Request: Variance to §400.560 of the University City Zoning Code prohibiting dwelling units on the ground floor in the Core Commercial “CC” District.
Address: 608 Kingsland Avenue

(VOTE REQUIRED)

5. Other Business
 - a. None
6. Reports
 - a. Council Liaison Report
7. Adjournment



Department of Planning and Development

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8500, Fax: (314) 862-3168

Staff Report

Meeting Date: February 1, 2024
Case Number: BOA – 22-02
Location: 7111 Waterman Avenue
Applicant: William Berthold, on behalf of Laurent and Elizabeth Torno
Property Owner: Laurent and Elizabeth Torno
Request: Variance from minimum lot width and side-yard setback

Applicant's Request

The applicant is requesting a variance to maintain a minimum lot width of thirty-seven and a half feet (37.5') in lieu of forty (40) feet, as required by City Ordinance No. 7095 and §400.1020(A) of the University City Zoning Code, and to maintain a side yard setback of one and a half feet (1.5) feet in lieu of five (5) feet, as required by §400.160(B)(b) of the University City Zoning Code as follows:

Section 400.1020(A) Lot Area and Width Exceptions.

- A. *Within the "SR" and "LR" districts, the minimum lot area and/or lot width for detached single-family and two-family (duplex) dwellings in subdivisions platted prior to the City of University City's first Zoning Code in 1926 shall be the prevailing pattern the subdivision in which the lot is located as specified in Table 1. (400.1020 is attached as an Exhibit to this Staff Report. Please note that 7111 Waterman is in the **West Portland Place** subdivision, as highlighted in Table 1 on page 2.) and*

Section 400.160(B)(b) Density and Dimensional Regulations.

- B. *Building Setback Requirements.*
b. *Minimum side yard setback. Five (5) feet.*

Figure 1 on the next page shows an aerial photo of the Applicant's property, as well as a wider view showing the lot lines. Note that the eastern half of the lot is vacant. The Applicant has submitted a narrative as part of their submittal that details the rationale for their request.

This application was discussed by the Board on October 11, 2022, at which time the Board voted to table the request so the Applicant can amend the request to include the variance for a side-yard setback and to provide supporting evidence and rationale for the request.

All of the attached exhibits from the Applicant were part of the October 11, 2022, Meeting Packet, with the exception of the "Second Applicant Narrative." This was submitted to the Department after the last meeting in support of the additional request for the side-yard setback.



Figure 1. Aerial view of the Applicant's property

Standards For Granting Variances

When considering a variance, the Board must consider the following standards as identified in Section 400.2950, Subsection A of the code. The standards are as follows;

- A. The Board of Adjustment shall not grant a variance unless it shall, in each case, make specific written findings of fact directly based upon the particular evidence presented to it that support the following conclusions:
 1. The variance requested arises from a condition which is unique to the property in question and which is not ordinarily found in the same zoning district, and is not created by an action or actions of the property owner or the applicant;
 2. The strict application of the provisions of this Chapter from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application;
 3. The variance requested will not adversely affect the adjacent properties or public health, safety, order, convenience or general welfare of the community; and
 4. Granting the variance desired will not violate the general spirit and intent of this Chapter.

Attachments: Public Hearing Notice
Submitted Application Packet, Letters of Support with Exhibits A – F and a narrative.
Section 400.1020 of the City's Zoning Ordinance
Section 400.160 of the City's Zoning Ordinance



Department of Community Development

6801 Delmar Boulevard • University City, Missouri 63130 • 314-505-8500 • Fax: 314-862-3168

**Application to the Board of Adjustment
For a Variation from the Requirements of the University City Zoning Code**

Address of the Subject Property: 7111 Waterman Boulevard

Owner of the Subject Property: Laurent J. & Elizabeth G. Torno Day Phone: 314-721-3911 Zoning District: SR

Address of the Owner: 7111 Waterman Boulevard Lot Size: 75' x 140'

Appellant's Name (if other than owner): William K. Berthold Pitzman's Co. of Surveyors Day Phone: 314-504-4442

Appellant's Address: 2725 Sutton Boulevard; St. Louis, Missouri 63143

I. a. Relevant Zoning Code Section(s): _____

b. Please explain what is proposed:
Subdivision of the existing 75' x 140' Lot into two equal 37.50' x 140' (5,250 SF) Lots.

II. Please describe the following as fully as possible:

a. State the particular requirements of the Zoning Code which prevent the proposed use or construction:
Minimum lot width of 40 feet for West Portland Place.

b. Explain the unique characteristics of the subject property which prevent compliance with the requirements of this chapter:
The West Portland Place Subdivision was originally developed by Tacoma Realty Co. and surveyed and platted by Pitzman's Co. in 1909. This 75 foot wide lot was originally purchased by a Mr. Greensfelder for his daughter for the purpose of developing two 37'-6" wide lots for his grandchildren. The existing lot to the East is 37'-6" wide and the two lots to the West are also 37'-6" wide. Approval of this variance would simply create five (5) adjacent 37'-6" lots with the subject lots nested in the middle. No other lots within this block of West Portland Place are 75 feet wide and developed to support two (2) 37'-6" wide lots. All of these lots were platted and developed prior to the existence of the University City Zoning Ordinance.

- c. Explain the practical difficulty or particular hardship which would result if the particular requirements of the Zoning Code were applied to the subject property:

Loss of the ability to build a new home on a lot of the same width as adjacent lots on both sides,
as was planned by the original owner of the property.

- d. State the reduction in the minimum requirements of the Zoning Code which would be necessary to permit the proposed use or construction:

Lot width reduced to 37 feet, 6 inches. No reduction in side or rear setbacks.

I, the undersigned understand that I must prove the following to the Board prior to them granting a variance: 1) The variance requested arises from a condition which is unique to the property in question and which is not ordinarily found in the same zoning district, and is not created by an action or actions of the property owner or the applicant; 2) The strict application of the provisions of the Zoning Code from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application; 3) The variance requested will not adversely affect the adjacent properties or public health, safety, order, convenience, or general welfare of the community; and 4) Granting the variance desired will not violate the general spirit and intent of the Zoning Code. I further understand that the concurring vote of at least four (4) of the five (5) members of the Board of Adjustment is necessary for the Board to grant a Variance of the Zoning Code.

I have read and fully understand the above paragraph and state that all claims made in this application are true.

Signature of the Applicant: *Jean Tormo* Date: 12-13-2021

Representing (if applicable): *William K. Berthold* 12-13-2021

WILLIAM K. BERTHOLD - PITZMAN'S CO.

Do Not Write Below This Line - For Office Use Only

Appellant _____ Address _____

Telephone _____

Cash ___ Check ___ Received of _____

Amount _____ Date _____

Clerk's Initials ___ Receipt No. _____

December 14, 2021

Zoning Administrator
6801 Delmar Boulevard, 4th Floor
University City, MO 63130

**RE: Owner Permission Letter for Zoning Variance
Application – 7111 Waterman Boulevard**

Dear Zoning Administrator:

Please be advised that William K. Berthold of Pitzman's Company of Surveyors & Engineers has the permission of myself and my wife, Elizabeth Torno, to represent us and file our application for zoning variance related to the proposed subdivision of our property at 7111 Waterman Boulevard.


(Signature)

12/14/2021
(Date)

Laurent J. Torno, Jr.
7111 Waterman Boulevard
University City, MO 63130
314-721-3911



Of Surveyors & Engineers

Memorandum

Date: December 15, 2021
To: City of University City
Board of Zoning Adjustment and Zoning Administrator
6801 Demun Boulevard, 4th Floor
University City, Missouri, 63130

From (Property Owner):

Lauren J. & Elizabeth Torno
7111 Waterman Blvd.
University City, MO 63130
314-721-3911 (ljtjr@icloud.com)

Owners Representative:

William K. Berthold, PE, PLS
Pitzman's Company of Surveyors & Engineers
2725 Sutton Blvd.
St. Louis, MO 63413
314-781-5665 (billb@pitzmans.com)

Address of Property Proposed for Variance:

7111 Waterman Blvd.
University City, Missouri, 63130

Description of Proposed Variance:

The variance requested is for the reduction in the minimum lot width to 37 feet 6 inches which would allow for the subdivision of the existing 75 foot 0-inch-wide lot into two 37 inch wide residential lots.

Evidence in support of the requested variance per Section 34-142.4 is as follows:

1. The Variance requested arises from a condition which is unique to the property in question and which is not ordinarily found in the same zoning district and is not created by an action or actions of the property owner or the applicant. The condition unique to 7111 Waterman Boulevard is that the existing lot is 75 feet wide and was originally purchased and developed to allow for two 37 foot 6 inch wide lots. This condition is not ordinarily found within the same zoning district.
2. The strict application of the provisions of the Zoning Code from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application. Strict application of the lot width requirement would prevent the owner from developing two lots of their property which was the intent of the original property owners.



Of Surveyors & Engineers

3. The Variance requested will not adversely affect the adjacent properties or public health, safety, order, convenience, or general welfare of the community; The requested variance would create two 37 foot 6 inch wide lots nested between existing 37 foot 6 inch wide lots on either side and would result in five (5) 37 foot 6 inch wide lots in a row.
4. Granting the Variance desired will not violate the general spirit and intent of the Zoning Code. The general spirit and intent of the Zoning code would be preserved along wit the existing pattern of development.

In reviewing the requested variance, we ask that the Board of Adjustment consider the following evidence in their review:

1. Strict enforcement of the minimum lot width requirement in the SR Zoning District would result in an unnecessary hardship to the property owner by preventing them from developing an additional residential lot as was intended and planned for by the original property owner.
2. This request is based on the owner's desire to complete the development of the property as it was originally planned for without consideration of financial gain. To elaborate, Mr. Torno is an architect who envisions completing the development of another home as was originally intended in keeping with the character and pattern of the existing development.
3. If granted, the requested variance will not be determined to other property or improvements in the neighborhood. It will be in harmony with the existing patten of development.
4. The proposed variance will not impair an adequate supply of light and air to adjacent properties, nor will it increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values in the neighborhood. Setback requirements will be honored, and the proposed lot width variance will follow the existing pattern of development adjacent to the property.

In addition, we provide the following documents to support the requested variance:

- a. Signed Application Form
- b. Signed Owner Permission
- c. 250.00 Application Fee
- d. Exhibit A- Survey
- e. Exhibit B- Subdivision Plat
- f. Exhibit C- Assessors Plat
- g. Exhibit D- Proposed Development Plan
- h. Exhibit E- Proposed Elevation
- i. Exhibit F- West Portland Place Subdivision



Pitzman's Co.

est. 1859

Of Surveyors & Engineers

Thank you for your consideration,

Respectfully Yours,

William K. Berthold, PE, PLS
President- Pitzman's Company



October 25, 2022

Mr. John Wagner
Director of Planning & Development
City of University City
6801 Delmar Blvd.
University City, MO 63130
jwagner@ucitymo.org

**RE: 7111 Waterman Blvd
Variance Request BOA 22-02**

Dear Mr. Wagner:

As the board correctly pointed out during our hearing, the proposed subdivision of 7111 Waterman Blvd. will require a side yard setback variance to allow the existing side entry porch to encroach 3'-5" into the 5-foot side yard setback. The board has asked us to provide evidence of the surrounding development pattern in support of this request.

In light of this, we have prepared the following synopsis of the actual development pattern of West Portland Place:

7000-7100 Blocks of Kingsbury, 55 Houses

31 Non-conforming Side Yards < 5'-0" (56%)
29 Non-conforming Side Yards ≤ 4'-0" (52%)
16 Non-conforming Side Yards ≤ 3'-0" (29%)
13 Non-conforming Side Yards ≤ 2'-0" (24%)
8 Non-Conforming Side yards 1'-6" or less. (15%)

We should bear in mind that Kingsbury is a more grand street, with decidedly more expensive houses.

7000-7100 Blocks of Waterman, 73 Houses

53 Non-conforming Side Yards < 5'-0" (72%)
52 Non-conforming Side Yards ≤ 4'-0" (71%)
25 Non-conforming Side Yards ≤ 3'-0" (34%)
10 Non-conforming Side Yards ≤ 2'-0" (14%)
7 Non-Conforming Side yards 1'-6" or less. (10%)

7000-7100 Blocks of Pershing, 77 Houses

- 59 Non-conforming Side Yards < 5'-0" (77%)
- 56 Non-conforming Side Yards ≤ 4'-0" (73%)
- 20 Non-conforming Side Yards ≤ 3'-0" (26%)
- 15 Non-conforming Side Yards ≤ 2'-0" (19%)
- 5 Non-Conforming Side yards 1'-6" or less. (6%)

Though these tallies do not reflect actual survey results, they do document the truly idiosyncratic development pattern of West Portland Place. We have included a copy of the assessors' plats utilized. Orange colored lots indicate side yard setback encroachments while green lots have no encroachment.

Based upon these results, it appears that non-compliance with the side-yard setback requirements is the "de facto" standard. It is also important to remember that West Portland Place was originally platted in 30-foot-wide lots, and that individual owners purchased and developed lots, and part of lots, as they wished, and the result is tasteful and appealing.

If you feel that more documentation is required, we will be glad to provide it.

Respectfully yours,

William K. Berthold

William K. Berthold, P.E., P.L.S.
President
Pitzman's Co. of Surveyors & Engineers

Attachment

136

UNIVERSITY CITY

BLOCK 3 OF UNIVERSITY HEIGHTS NO. 3

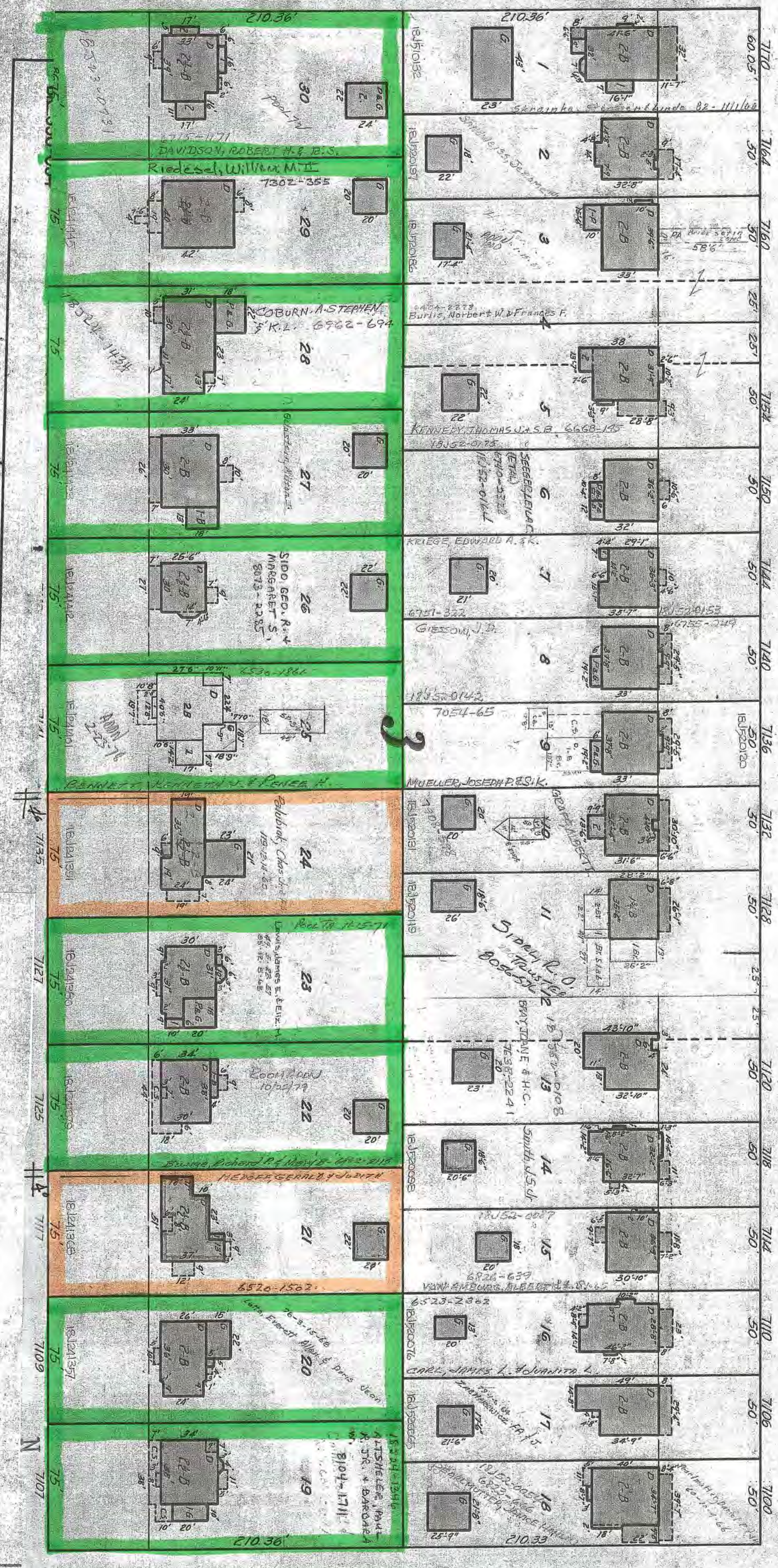
Block 2 135

UNIVERSITY HILLS 128

WELLESLEY 30' W. AVE.

WASHINGTON

AVE.



UNIVERSITY CITY

BLK. 2 135

VASSAR AV. 50' W.

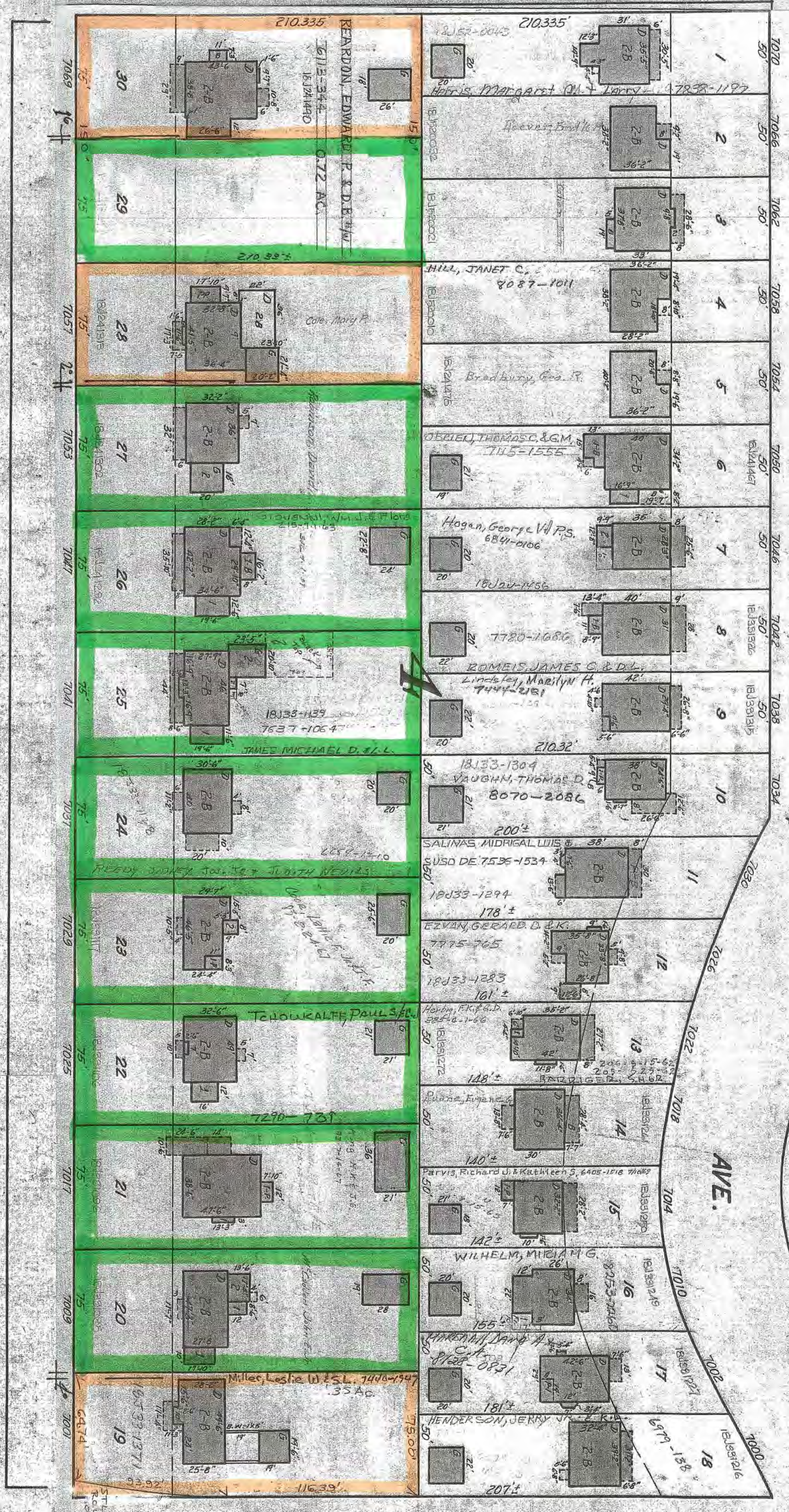
BLOCK 4 OF UNIVERSITY HEIGHTS NO. 3

PHOENIX HEIGHTS 122

WELLESLEY 30' W. AVE.

WASHINGTON

AVE.

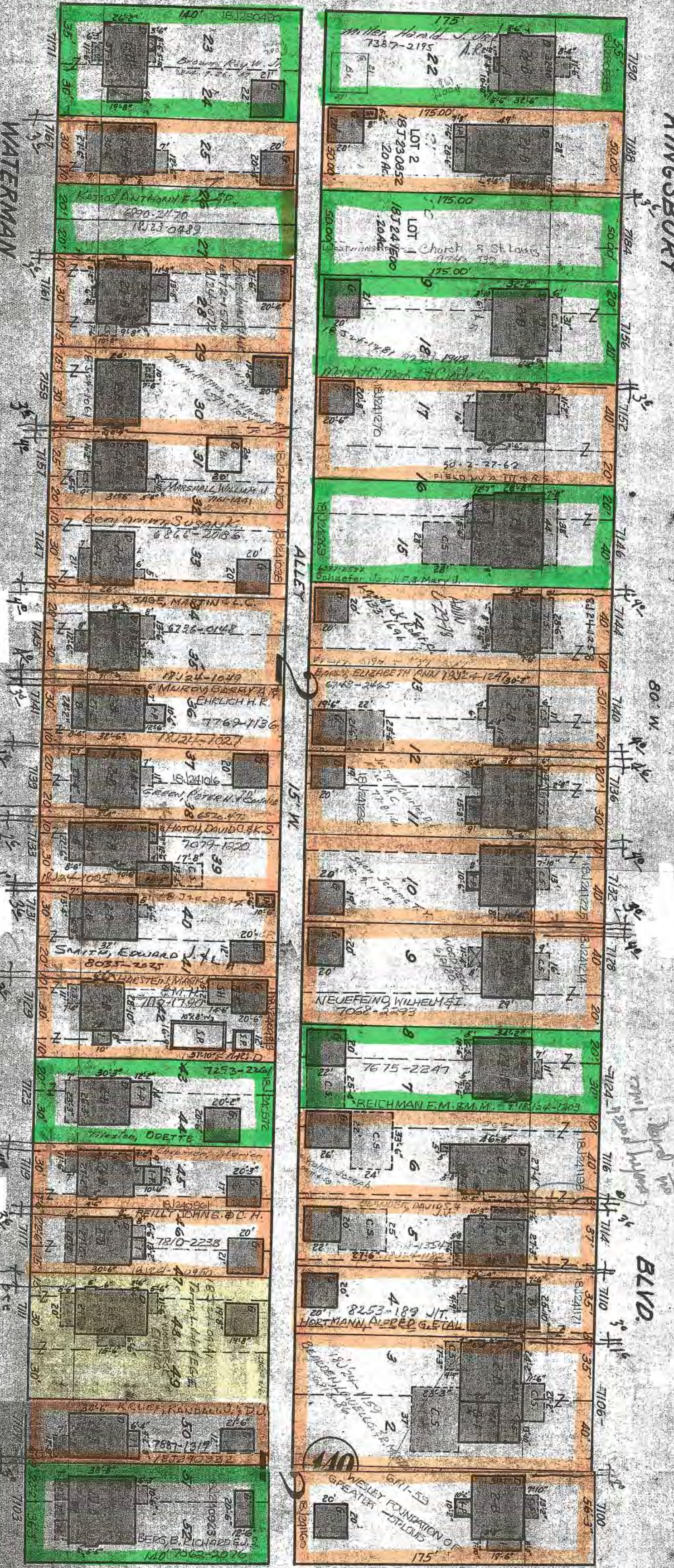


FLYNN PARK 131

WELLESLEY 60' W. AVE.

WATERMAN

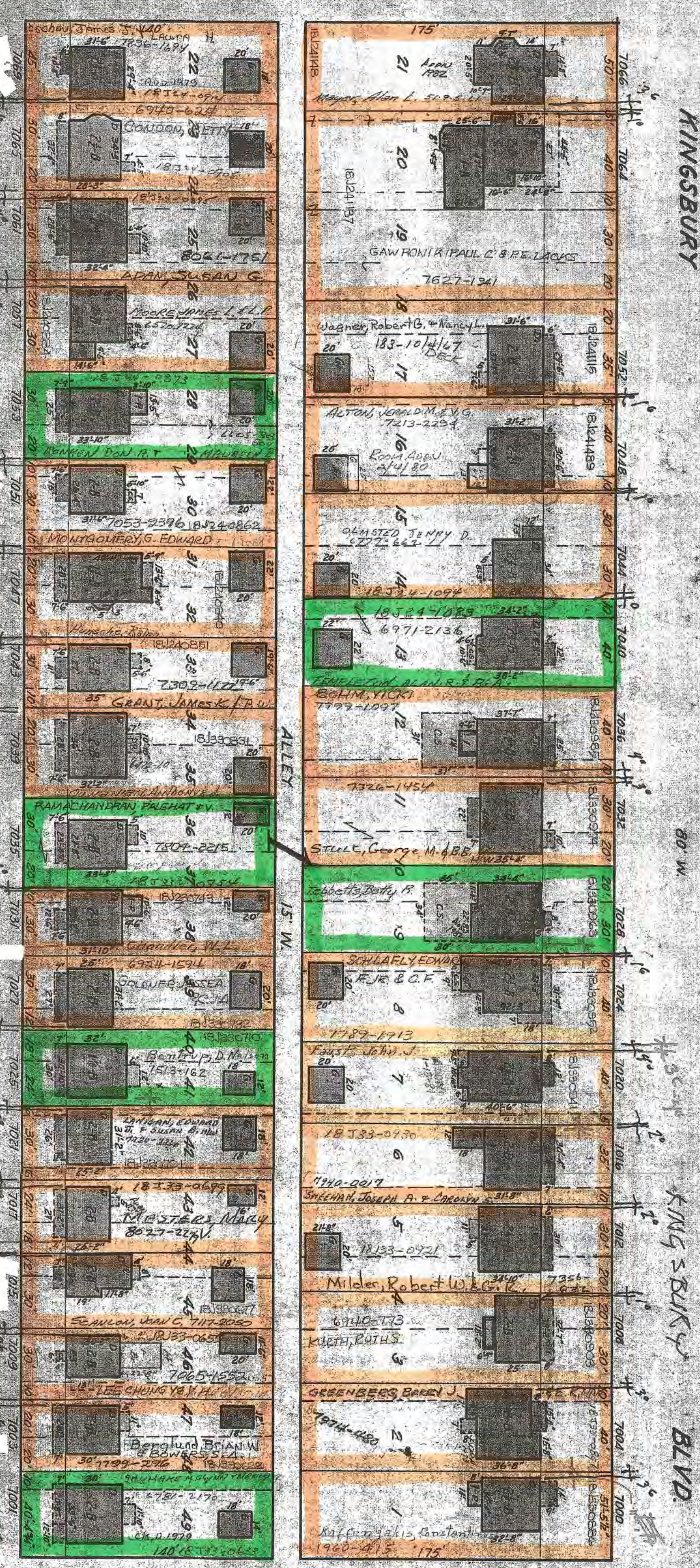
AVE.



WELLESLEY 60' W. AVE.

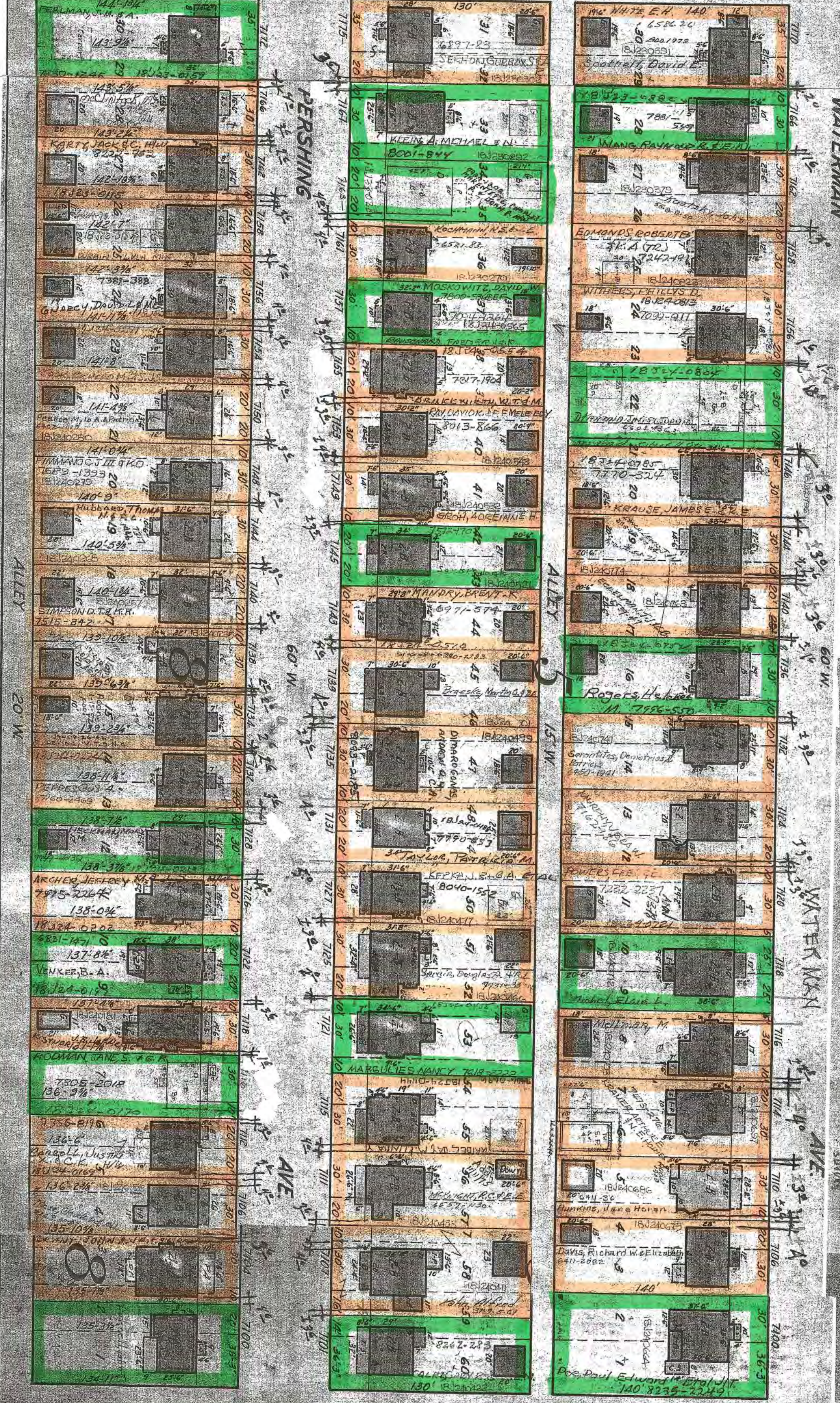
KINGSBURY

BLVD.



AMES 68 PLACE

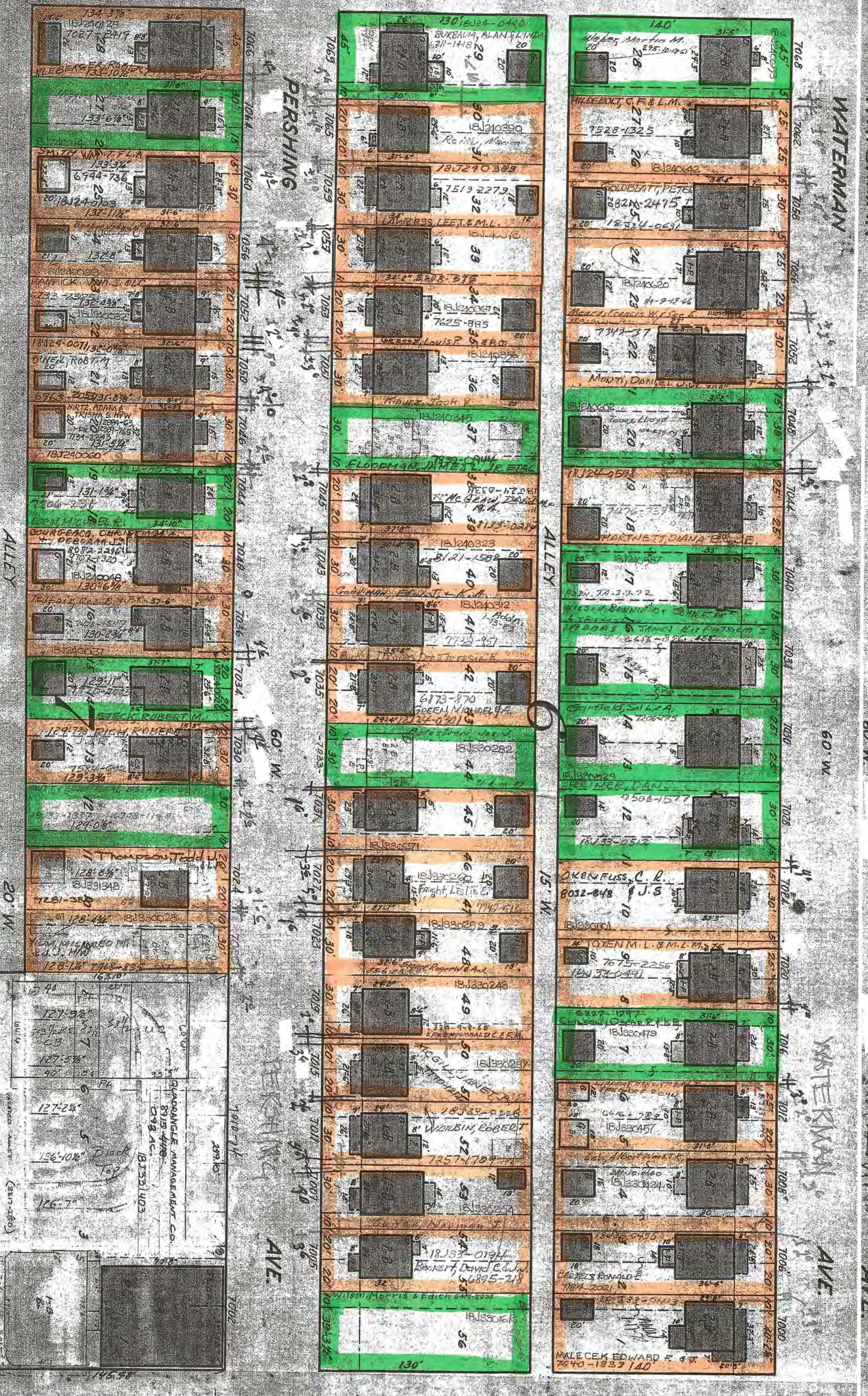
WELLESLEY 60' W. AVE.



WELLESLEY 60' W. AVE.

WATERMAN

AVE.



BIG BEND AMES 72 PLACE

BLVD.



Tom & Gwen Eckelman

7140 Waterman Avenue University City, Missouri 63130

Received

FEB 10 2022

January 30 2021

Department of Community Development
City of University City
6801 Delmar
University City, MO 63130

Zoning Administrator
6801 Delmar Boulevard, 4th Floor
University City, MO 63130

Re: Zoning Variance Application
7111 Waterman Boulevard

Dear Zoning Administrator:

We support the subdivision of the existing 75' x 140' Lot into two equal 37.50' x 140' (5,250 SF) Lots. Although the subdivision creates two lots 2.50' less than the minimum lot width of 40 feet for West Portland Place Zoning Ordinance, the resulting lots will be the same width as the lots on both sides of the property. Our support is based on the condition that the new lot will conform to all current set-back requirements and that the proposed single-family residence will keep with the character and pattern of the existing development.

Sincerely,



Thomas J and Gwendolyn B Eckelman

Cc: Laurent J Tomo, Jr.



Robert E Edmonds AIA Architect

Department of Community Development


Board of Adjustment

Regarding Application for the subdivision of existing 75' x 140' at 7111 Waterman Avenue into two 37.5' lots. owned By Laurent J. and Elizabeth Torno.

As a long term resident of the 7100 block of Waterman, I support the proposed dividing this 75' lot into two equal lots as was originally intended by the original first owner. As noted in the application and attached survey documents there are several 37.5' lots adjacent to this property which do not meet the minimum 40' as established in the 1919 University City zoning ordinance.

The subdivision of this 75' lot and the development of a new residence designed by Laurent Torno will be a welcome addition to the West Portland Place neighborhood.

Thank you for your consideration of this application.



Robert E Edmonds

7158 Waterman Ave
University City MO

Peter H. Green
7139 Waterman Avenue
University City, MO 63130
Mobile: (314) 368-4321
e-mail: phgreen@swbell.net

September 1, 2023

Dr. John Wagner, Ph.D.
Director of Planning and Community Development
and Board of Zoning Adjustment Administrator
City of University City
6801 Delmar Blvd., 4th Floor
University City, MO 63130

RE: Board of Adjustment and Zoning Petition
Laurent J, and Elizabeth Torno, 7111 Waterman Ave.

Dear Dr. Wagner:

My wife and I have known Laurent and Betty Torno ever since we moved to 7139 Waterman Avenue in 1971. Laurent and I are fellow architects whose paths have crossed professionally many times over those 52 years. In the early days, he explained to me that he had purchased the double-wide lot at 7111 Waterman with the intent of eventually building another house on the lot adjacent to his own. This seemed appropriate then and still seems so to me.

The 7100 Block of Waterman is a very special place. I attribute much of its popularity to the high density of homes on the street. Because the houses are so close to each other, in good weather the neighboring children play together and their parents congregate outdoors, become friends and reliably support each other daily, during vacations and in emergencies. A variety of lot widths and home sizes appeal to varying ages, lifestyles and interests: growing families, empty-nesters and senior citizens. The diversity of age groups traditionally supplies babysitters, helping hands and sociability among groups, a phenomenon we have watched repeat itself over the past three generations.

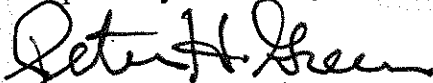
I have read Mr. Berthold's analysis and, with my long experience in zoning cases as an architect and Certified Planner, conclude that the current proposal to re-subdivide with 37.5-foot lots, meets all the zoning objectives he enumerates in his memo advocating the change. The result will be that the Torno properties will conform to the layout envisioned by the block's original

developer, the Tacoma Realty Company, in 1908. It will result in five 37.5-foot-wide lots in a row, consistent with the originally permitted plan. In the intervening years, various changes occurred: combining narrow lots into wider ones, and often creating original-sized lots from the newer wide ones by splitting off half-lots on both sides. All these changes led to achieving the pleasant diversity I describe.

I understand from the applicant that there is an advisor to the Board of Zoning Adjustment who believes this kind of change should be accomplished through a general ordinance change. Pursuing this solution would likely cause much distress and expense to my neighbors and all concerned. It is not necessary, would likely take years and would not serve the property owners' current need.

The Board of Adjustment's purpose is to override minor technicalities, such as this one, and grant minor exceptions to the letter of the ordinance because of the unique circumstances on a specific property. As Mr. Berthold shows, this change will affect no one other than the current owner, the ultimate buyer and one other immediate neighbor. And yet, the letter of the ordinance causes a significant hardship to the petitioners. They require immediate relief, which the Board of Adjustment has the power to grant without further delay. I urge the Board to approve this simple and sensible petition at the present time.

Respectfully submitted,

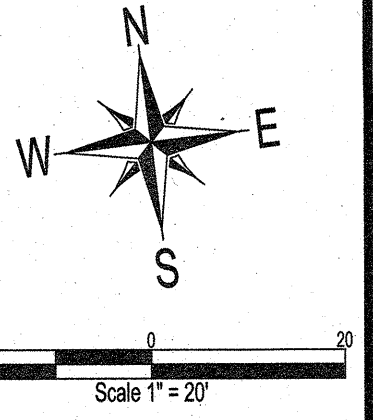


Peter H. Green, AIA, AICP
Architect and Planner (retired)
7139 Waterman Avenue
University City, MO 63130

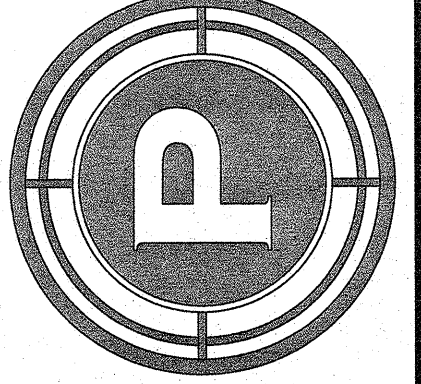
Cc: Laurent J. Torno, Jr
William K. Berthold, PE, PLS

EXHIBIT - A

MISSOURI MINIMUM SURVEY
BOUNDARY, IMPROVEMENT & TOPO SURVEY
LOTS 48, 49 & PART OF LOT 47
WEST PORTLAND PLACE IN P.B. 9 PG. 46
CITY OF UNIVERSITY CITY
SAINT LOUIS COUNTY, MISSOURI



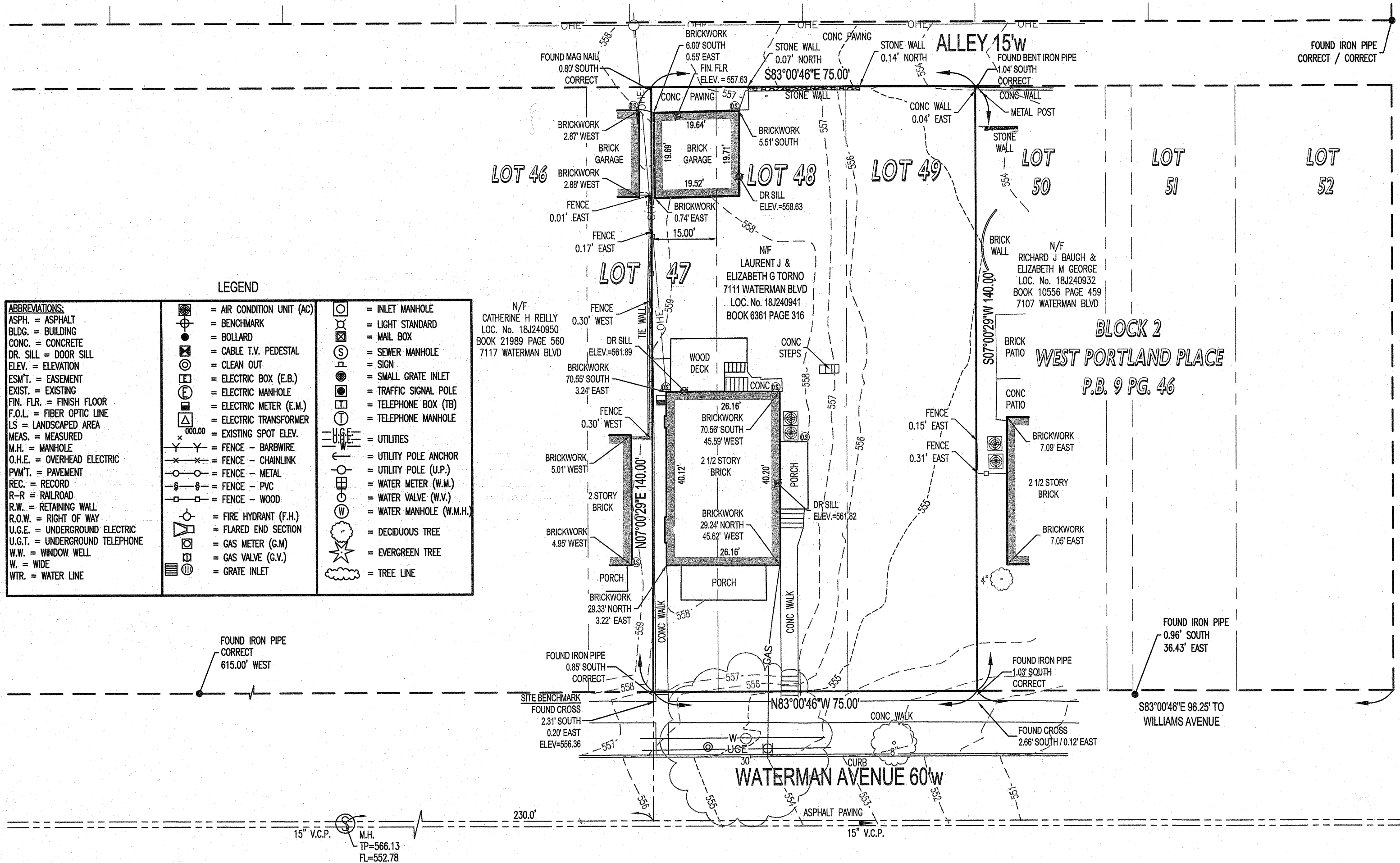
Pitzman's Co.
of Surveyors & Engineers
2725 Sutton Blvd.
St. Louis, MO 63143
p (314) 781-5665 f (314) 781-1801
www.pitzmans.com
est. 1859



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ORDER#: 18-344SV
C.B. OR F.P.#: #200
DRAWN BY: A K B
DEPUTY: S T P
REVIEWED BY: W K B
DATE: MAY 15, 2018

LOCATOR #
18J240941
SHEET
1 of 1



LEGEND		
ABBREVIATIONS:		= AIR CONDITION UNIT (AC)
ASPH. = ASPHALT		= BENCHMARK
BLDG. = BUILDING		= BOLLARD
CONC. = CONCRETE		= CABLE T.V. PEDESTAL
DR. SILL. = DOOR SILL		= CLEAN OUT
ELEV. = ELEVATION		= ELECTRIC BOX (E.B.)
ESMT. = EASEMENT		= ELECTRIC MANHOLE
EXIST. = EXISTING		= ELECTRIC METER (E.M.)
FIN. FLR. = FINISH FLOOR		= ELECTRIC TRANSFORMER
F.O.L. = FIBER OPTIC LINE		= EXISTING SPOT ELEV.
LS = LANDSCAPED AREA		= FENCE - BARB WIRE
MEAS. = MEASURED		= FENCE - CHAIN LINK
M.H. = MANHOLE		= FENCE - METAL
O.H.E. = OVERHEAD ELECTRIC		= FENCE - PVC
P.M.T. = PAVEMENT		= FENCE - WOOD
R-R = RAILROAD		= FIRE HYDRANT (F.H.)
R.W. = RETAINING WALL		= FLARED END SECTION
R.O.W. = RIGHT OF WAY		= GAS METER (G.M.)
U.G.E. = UNDERGROUND ELECTRIC		= GAS VALVE (G.V.)
U.G.T. = UNDERGROUND TELEPHONE		= GRATE INLET
W. = WIDE		= INLET MANHOLE
WTR. = WATER LINE		= LIGHT STANDARD
		= MAIL BOX
		= SEWER MANHOLE
		= SIGN
		= SMALL GRATE INLET
		= TRAFFIC SIGNAL POLE
		= TELEPHONE BOX (TB)
		= TELEPHONE MANHOLE
		= UTILITIES
		= UTILITY POLE ANCHOR
		= UTILITY POLE (U.P.)
		= WATER METER (W.M.)
		= WATER VALVE (W.V.)
		= WATER MANHOLE (W.M.H.)
		= DECIDUOUS TREE
		= EVERGREEN TREE
		= TREE LINE

TITLE NOTES:

- SOURCE OF TITLE: NO TITLE WAS PROVIDED AT TIME OF SURVEY.
- EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF THE MAKING OF THIS SURVEY, BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

SURVEYORS NOTES:

- BEARING BASIS: STATE PLANE NORTH GRID NORTH
STATION: SL 14 DATE: JUNE 2012
NORTH=1,028,295.90 (F) EAST=871,182.79 (F)
- BENCHMARK: STATION: SL 12-2 DATUM: NAVD 83
REC. ELEV: 564.30 SUR. ELEV: 564.33
- PROPERTY ZONING: "SR" SINGLE FAMILY RESIDENTIAL DISTRICT PER THE CITY OF UNIVERSITY CITY WEBSITE MARCH 26, 2018.
- FLOOD RISK ZONING: SUBJECT PROPERTY, IS LOCATED ON THE LATEST FLOOD INSURANCE RATE MAP OF UNIVERSITY CITY, SAINT LOUIS COUNTY, MISSOURI COMMUNITY PANEL NO. 29189C0214K DATED FEBRUARY 04, 2015, AS FURNISHED BY THE U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT. THE FEMA/FIRM INDICATES THAT SUBJECT PROPERTY IS LOCATED IN ZONE "X", WHICH IS MINIMAL RISK AREAS OUTSIDE THE 2-PERCENT-ANNUAL-CHANCE FLOODPLAINS, AS DEFINED BY THE NATIONAL FLOOD INSURANCE PROGRAM.
- UTILITY INFORMATION: THE LOCATIONS OF ANY UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES AND AS POINTED OUT OR MAPPED BY UTILITIES PERSONNEL. LOCATIONS AND SIZES OF UNDERGROUND UTILITIES / STRUCTURES MAY VARY FROM LOCATIONS SHOWN. ADDITIONAL BURIED UTILITIES / STRUCTURES MAY BE ENCOUNTERED. BURIED UTILITIES / STRUCTURES SHOWN HEREON MAY NOT EXIST. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO FIND OR VERIFY BURIED UTILITY LOCATIONS.

DEED DESCRIPTION (BOOK 6361 PAGE 316):

A LOT OF GROUND HAVING A FRONT OF 75 FEET ON THE NORTH LINE OF WATERMAN AVENUE, BEING THE EASTERN 15 FEET OF LOT NUMBER FORTY-SEVEN (47) AND ALL OF LOTS FORTY EIGHT (48) AND FORTY NINE (49) IN BLOCK NUMBER TWO (2) OF "WEST PORTLAND PLACE", AS DESIGNATED AND LAID DOWN ON THE PLAT OF OF SAID "WEST PORTLAND PLACE", FILED IN THE OFFICE OF THE RECORDER OF DEEDS OF ST. LOUIS COUNTY, MISSOURI ON THE 26TH DAY OF AUGUST, 1908, AND RECORDED IN PLAT BOOK 9, AT PAGE 46, HAVING AN AGGREGATE FRONT OF SEVENTY FIVE (75) FEET ON THE NORTH LINE OF WATERMAN AVENUE, BY A DEPTH NORTHWARDLY OF ONE HUNDRED FORTY (140) FEET, TO A PUBLIC ALLEY; TOGETHER WITH ALL THE IMPROVEMENTS SITUATED THEREON AND KNOWN AS AND NUMBERED 7111 WATERMAN AVENUE.

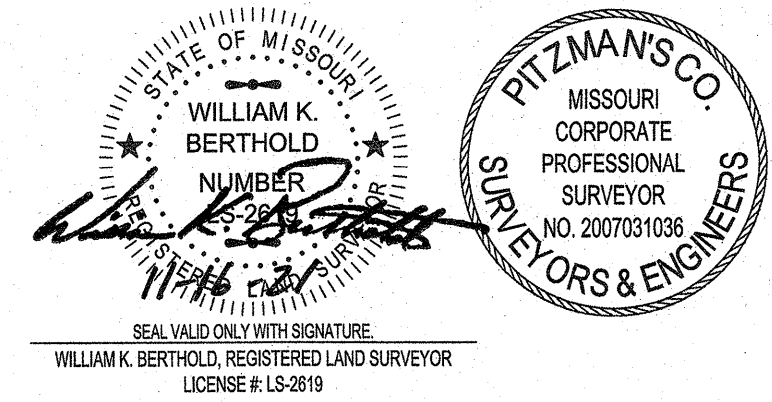
TO: LAURENT J. & ELIZABETH G. TORNO, JR.

THIS IS TO CERTIFY THAT WE HAVE COMPLETED A BOUNDARY AND IMPROVEMENT SURVEY OF THE PROPERTY SHOWN HEREON, AND THAT THE RESULTS ARE CORRECTLY SHOWN ON THIS PLAT. THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE MISSOURI STANDARDS FOR PROPERTY BOUNDARY FOR "URBAN" SURVEYS (10 CSR 30-2.070).
THE FIELD WORK WAS COMPLETED ON MAY 11, 2018.

MAY 15, 2018

WILLIAM K. BERTHOLD, MoPLS 2619
PITZMAN'S CO. OF SURVEYORS & ENGINEERS
CORPORATE LICENSE NO. 2007031036

#2725-R SUTTON BOULEVARD
SAINT LOUIS, MISSOURI 63143
TEL: 314-781-5665



CITY CERTIFICATION:

IT IS HEREBY CERTIFIED THAT THE **TORNO SUBDIVISION** HAS BEEN APPROVED BY THE CITY OF UNIVERSITY CITY, MISSOURI PLANNING AND ZONING COMMISSION ON THE ____ DAY OF _____, 202__.

SIGN: _____
 PRINT: _____
 TITLE: CHAIRMAN, PLANNING AND ZONING COMMISSION

THE **TORNO SUBDIVISION** HAS BEEN APPROVED IN CONFORMANCE WITH SUBDIVISION REGULATIONS OF THE CITY OF UNIVERSITY CITY CODE OF ORDINANCES BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY CITY, MISSOURI ON THE ____ DAY OF _____, 202__, AS RECORDED IN ORDINANCE NO. _____

SIGN: _____ BY: _____
 PRINT: _____ PRINT: _____
 TITLE: MAYOR, CITY OF UNIVERSITY CITY TITLE: CITY CLERK

DEED DESCRIPTION (BOOK 6361 PAGE 316):

A LOT OF GROUND HAVING A FRONT OF 75 FEET ON THE NORTH LINE OF WATERMAN AVENUE, BEING THE EASTERN 15 FEET OF LOT NUMBER FOURTY-SEVEN (47) AND ALL OF LOTS FORTY EIGHT (48) AND FORTY NINE (49) IN BLOCK NUMBER TWO (2) OF "WEST PORTLAND PLACE", AS DESIGNATED AND LAID DOWN ON THE PLAT OF SAID "WEST PORTLAND PLACE", FILED IN THE OFFICE OF THE RECORDER OF DEEDS OF ST. LOUIS COUNTY, MISSOURI ON THE 26TH DAY OF AUGUST, 1908, AND RECORDED IN PLAT BOOK 9, AT PAGE 46, HAVING AN AGGREGATE FRONT OF SEVENTY FIVE (75) FEET ON THE NORTH LINE OF WATERMAN AVENUE, BY A DEPTH NORTHWARDLY OF ONE HUNDRED FORTY (140) FEET, TO A PUBLIC ALLEY; TOGETHER WITH ALL THE IMPROVEMENTS SITUATED THEREON AND KNOWN AS AND NUMBERED 7111 WATERMAN AVENUE.

TITLE NOTES:

- SOURCE OF TITLE: NO TITLE WAS PROVIDED AT TIME OF SURVEY.
- EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF THE MAKING OF THIS SURVEY, BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND-USE REGULATIONS, AND ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

SURVEYORS NOTES:

- THE FIELD WORK WAS COMPLETED ON MAY 11, 2018.
- BEARING BASIS: STATE PLANE NORTH GRID NORTH
 STATION: SL 14 DATE: JUNE 2012
 NORTH=1,028,295.90 (F) EAST=871,182.79 (F)
- PROPERTY ZONING: "SR" SINGLE FAMILY RESIDENTIAL DISTRICT PER THE CITY OF UNIVERSITY CITY WEBSITE MARCH 26, 2018.
- FLOOD RISK ZONING: SUBJECT PROPERTY, IS LOCATED ON THE LATEST FLOOD INSURANCE RATE MAP OF CITY OF UNIVERSITY CITY, ST. LOUIS COUNTY, MISSOURI COMMUNITY PANEL NO. 29189C0214K DATED FEBRUARY 04, 2015, AS FURNISHED BY THE U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT. THE FEMA/FIRM INDICATES THAT SUBJECT PROPERTY IS LOCATED IN ZONE "X", WHICH IS MINIMAL RISK AREAS OUTSIDE THE 2-PERCENT-ANNUAL-CHANCE FLOODPLAINS, AS DEFINED BY THE NATIONAL FLOOD INSURANCE PROGRAM.
- MONUMENTS TO BE AFTER THIS PLAT HAS BEEN APPROVED.

THE UNDERSIGNED OWNER OF THE PARCEL OF GROUND DESCRIBED IN THE FOREGOING SURVEYORS CERTIFICATE, HAS CAUSED SAID PARCEL TO BE SURVEYED AND SUBDIVIDED IN THE MANNER AS SHOWN ON THIS PLAT, AND SAID SUBDIVISION SHALL HEREAFTER TO BE KNOWN AS:

"TORNO SUBDIVISION"

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HAND THIS ____ DAY OF _____, 202__.

TORNO J. LAURENT, JR.

ELIZABETH G. TORNO

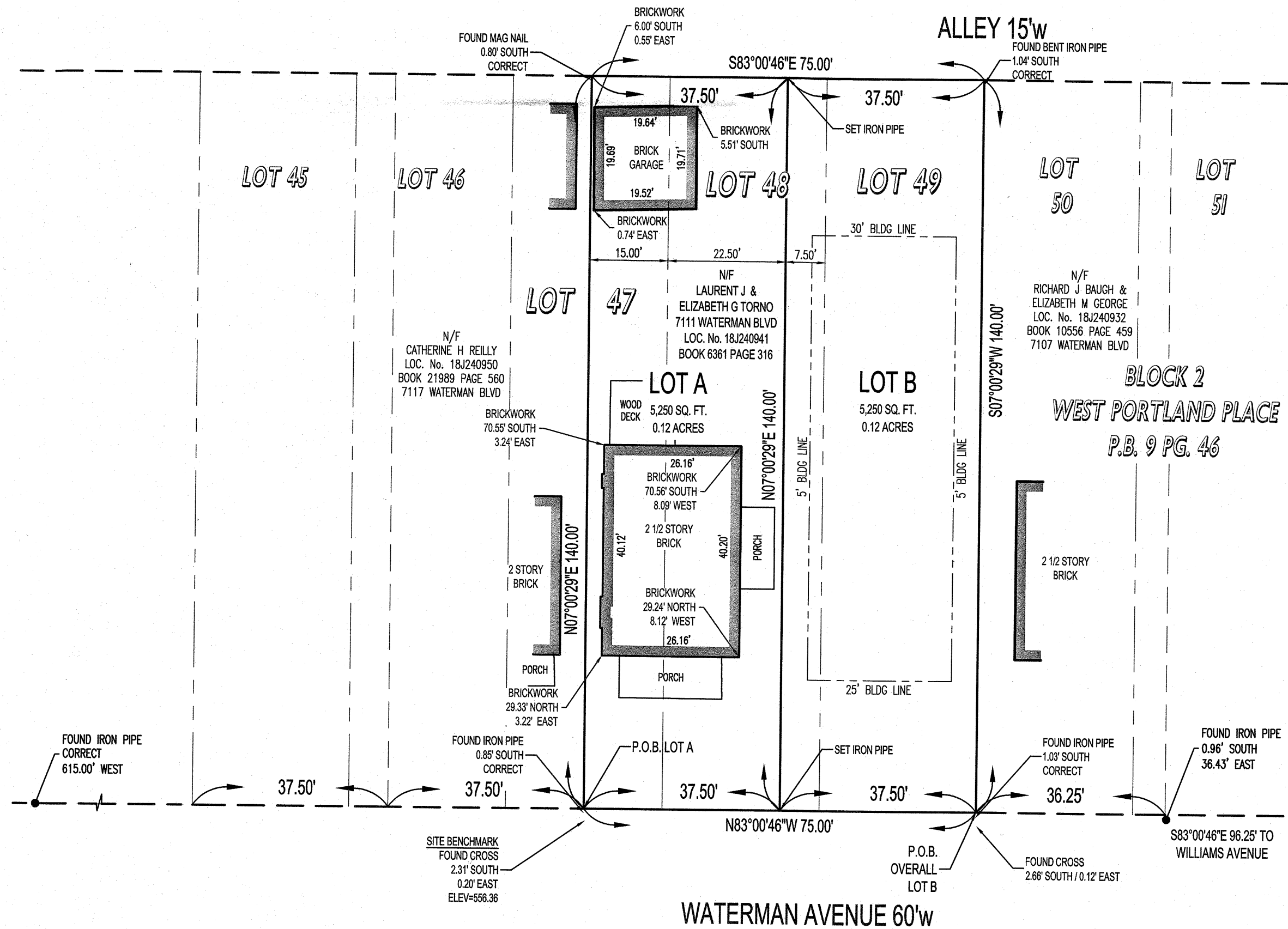
STATE OF MISSOURI }
 } S.S.
 CITY/COUNTY OF ST. LOUIS }

ON THIS ____ DAY OF _____, 202__, BEFORE ME APPEARED **TORNO J. LAURENT, JR. & ELIZABETH G. TORNO** TO ME PERSONALLY KNOWN WHO BEING BY ME DULY SWORN, DID SAY THAT THEY ARE THE PERSONS IN AND WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL IN THE CITY AND STATE AFORESAID, THE DAY AND YEAR FIRST ABOVE WRITTEN.

MY TERM EXPIRES: _____

NOTARY PUBLIC



LEGAL DESCRIPTION LOT A:

A PARCEL OF GROUND BEING PART OF LOTS 47 AND 48, IN BLOCK 2, OF WEST PORTLAND PLACE, RECORDED IN PLAT BOOK 9 PAGE 46, IN ST. LOUIS COUNTY RECORDERS OFFICE, IN UNIVERSITY CITY, ST. LOUIS COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERN LINE OF WATERMAN AVENUE, 60 FEET WIDE, WITH A POINT BEING 15.00' WEST OF THE SOUTHEASTERN CORNER OF SAID LOT 47;
 THENCE NORTH 83 DEGREES 00 MINUTES 29 SECONDS EAST 140.00 FEET, ALONG A LINE PARALLEL WITH THE EASTERN LINE OF SAID LOT 47, TO A POINT IN THE SOUTHERN LINE OF AN ALLEY, 15 FEET WIDE;
 THENCE SOUTH 83 DEGREES 00 MINUTES 46 SECONDS EAST 37.50 FEET, ALONG THE SOUTHERN LINE OF SAID ALLEY, TO A POINT BEING 7.50 FEET, WEST OF THE EAST LINE OF SAID LOT 48;
 THENCE SOUTH 07 DEGREES 00 MINUTES 29 SECONDS WEST 140.00 FEET, ALONG A LINE PARALLEL WITH THE EASTERN LINE OF SAID LOT 48, TO A POINT IN THE NORTHERN LINE OF SAID WATERMAN AVENUE;
 THENCE NORTH 83 DEGREES 00 MINUTES 46 SECONDS EAST 37.50 FEET, ALONG THE NORTHERN LINE OF SAID WATERMAN AVENUE, TO A POINT BEING 15.00 FEET WEST OF THE EAST LINE OF SAID LOT 47 TO THE POINT OF BEGINNING AND CONTAINING 5,250 SQUARE FEET AS PREPARED BY PITZMAN'S COMPANY.

LEGAL DESCRIPTION LOT B:

A PARCEL OF GROUND BEING ALL OF LOT 49 AND PART OF LOT 48, IN BLOCK 2, OF WEST PORTLAND PLACE, RECORDED IN PLAT BOOK 9 PAGE 46, IN ST. LOUIS COUNTY RECORDERS OFFICE, IN UNIVERSITY CITY, ST. LOUIS COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERN LINE OF WATERMAN AVENUE, 60 FEET WIDE, WITH THE SOUTHEASTERN CORNER OF SAID LOT 49; THENCE NORTH 83 DEGREES 00 MINUTES 46 SECONDS WEST 37.50 FEET, ALONG THE NORTHERN LINE OF SAID WATERMAN AVENUE, TO A POINT BEING 7.50 FEET WEST OF THE EAST LINE OF SAID LOT 48;
 THENCE NORTH 07 DEGREES 00 MINUTES 29 SECONDS EAST 140.00 FEET, ALONG A LINE PARALLEL WITH THE EASTERN LINE OF SAID LOT 48, TO A POINT IN THE SOUTHERN LINE OF AN ALLEY 15 FEET WIDE;
 THENCE SOUTH 83 DEGREES 00 MINUTES 46 SECONDS EAST 37.50 FEET, ALONG THE SOUTHERN LINE OF SAID ALLEY, TO THE NORTHEASTERN CORNER OF SAID LOT 49, TO A POINT;
 THENCE SOUTH 07 DEGREES 00 MINUTES 29 SECONDS WEST 140.00 FEET, ALONG THE EASTERN LINE OF SAID LOT 49, TO THE NORTHERN LINE OF SAID WATERMAN AVENUE TO THE POINT OF BEGINNING AND CONTAINING 5,250 SQUARE FEET AS PREPARED BY PITZMAN'S COMPANY.

OUT-BOUNDARY LEGAL DESCRIPTION:

A PARCEL OF GROUND BEING ALL OF LOTS 48 AND 49 AND THE EASTERN 15 FEET OF LOT 47, IN BLOCK 2, OF WEST PORTLAND PLACE, RECORDED IN PLAT BOOK 9 PAGE 46, IN ST. LOUIS COUNTY RECORDERS OFFICE, IN UNIVERSITY CITY, ST. LOUIS COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERN LINE OF WATERMAN AVENUE, 60 FEET WIDE, WITH THE SOUTHEASTERN CORNER OF SAID LOT 49; THENCE NORTH 83 DEGREES 00 MINUTES 46 SECONDS WEST 75.00 FEET, ALONG THE NORTHERN LINE OF SAID WATERMAN AVENUE, TO A POINT BEING 15.00 FEET, WEST OF THE EAST LINE OF SAID LOT 47;
 THENCE NORTH 07 DEGREES 00 MINUTES 29 SECONDS EAST 140.00 FEET, ALONG A LINE PARALLEL WITH THE EASTERN LINE OF SAID LOT 47, TO A POINT, IN THE SOUTHERN LINE OF AN ALLEY, 15 FEET WIDE;
 THENCE SOUTH 83 DEGREES 00 MINUTES 46 SECONDS EAST 75.00 FEET, ALONG THE SOUTHERN LINE OF SAID ALLEY, TO THE NORTHEASTERN CORNER OF SAID LOT 49, TO A POINT;
 THENCE SOUTH 07 DEGREES 00 MINUTES 29 SECONDS WEST 140.00 FEET, ALONG EASTERN LINE OF SAID LOT 49 TO THE NORTHERN LINE OF SAID WATERMAN AVENUE TO THE POINT OF BEGINNING AND CONTAINING 10,500 SQUARE FEET AS PREPARED BY PITZMAN'S COMPANY.

LAURENT J. TORNO, JR. & ELIZABETH G. TORNO:

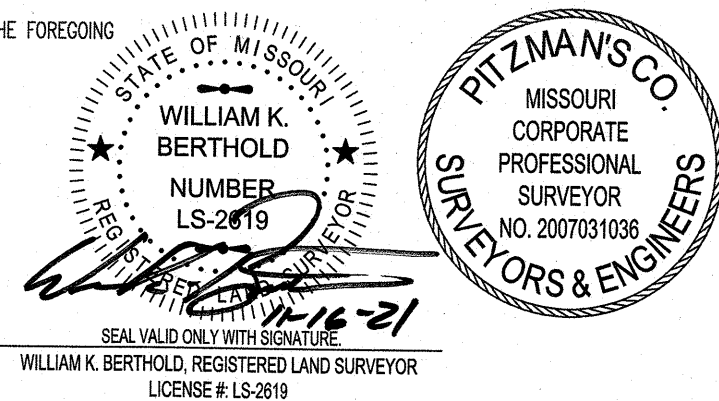
THIS IS TO CERTIFY THAT WE HAVE COMPLETED A BOUNDARY SURVEY AND SUBDIVISION PLAT OF THE PROPERTY SHOWN HEREON, AND THAT THE RESULTS ARE CORRECTLY SHOWN ON THIS PLAT. THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY FOR "URBAN" SURVEYS (10 CSR 30-2.070).

IN WITNESS WHEREOF, I HAVE SIGNED & SEALED THE FOREGOING

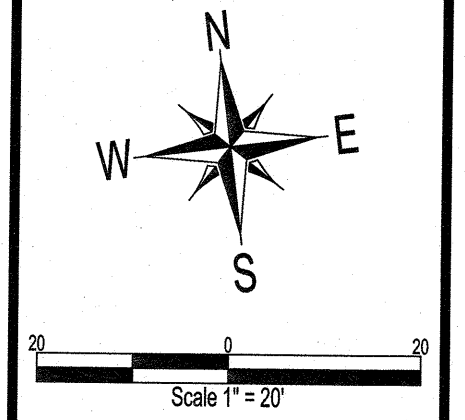
MAY 15, 2018

WILLIAM K. BERTHOLD, MoPLS 2619
 PITZMAN'S CO. OF SURVEYORS & ENGINEERS
 CORPORATE LICENSE NO. 2007031036

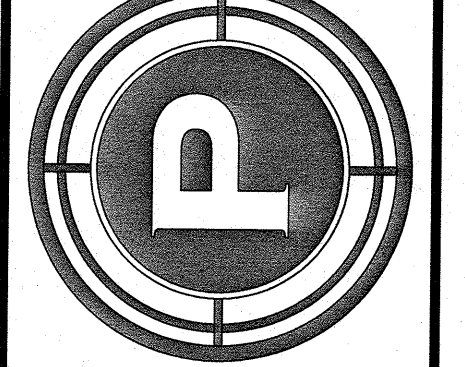
#2725-R SUTTON BOULEVARD
 SAINT LOUIS, MISSOURI 63143
 T: 314-781-5665
 E: BILL@PITZMANS.COM
 REVISED CHANGED DATES NOV. 16, 2021



TORNO SUBDIVISION
 LOTS 48, 49 AND PART OF LOT 47
 WEST PORTLAND PLACE
 PLAT BOOK 9 PAGE 46
 CITY OF UNIVERSITY CITY
 SAINT LOUIS COUNTY, MISSOURI



Pitzman's Co.
 of Surveyors & Engineers
 2725 Sutton Blvd.
 St. Louis, MO 63143
 p (314) 781-5665 f (314) 781-1801
 www.pitzmans.com
 est. 1859

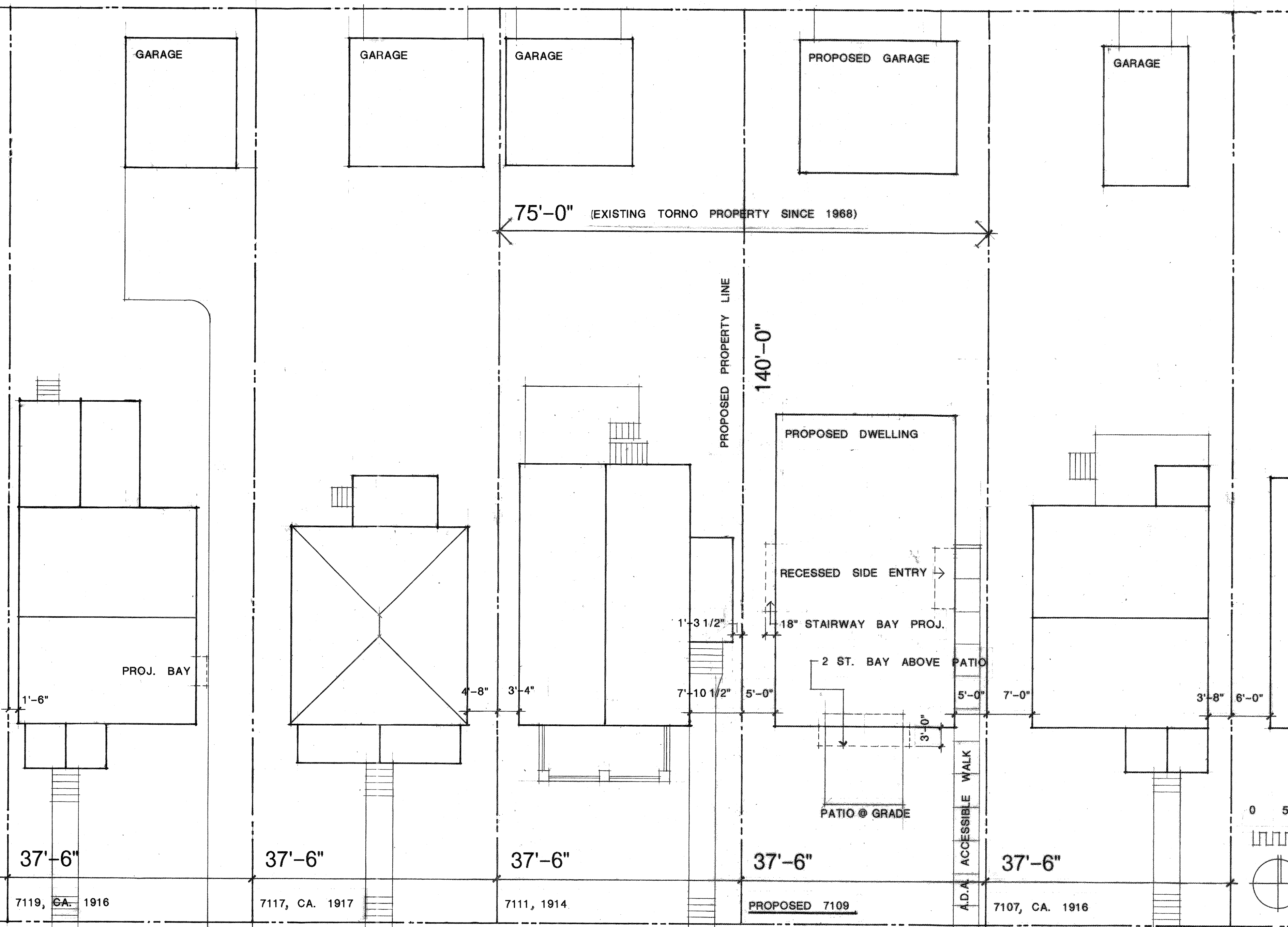


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ORDER#:	18-344SUB
C.B. OR F.P.#:	#200
DRAWN BY:	A K B
DEPUTY:	S T P
REVIEWED BY:	W K B
DATE:	MAY 15, 2018

LOCATOR #
18J240941
 SHEET
 1 of 1

EXHIBIT-B



75'-0" (EXISTING TORNO PROPERTY SINCE 1968)

PROPOSED PROPERTY LINE

140'-0"

PROPOSED DWELLING

RECESSED SIDE ENTRY

18" STAIRWAY BAY PROJ.

2 ST. BAY ABOVE PATIO

PATIO @ GRADE

A.D.A. ACCESSIBLE WALK

L. J. Torno jr & Assoc.
 34 No. Brentwood Blvd.
 St. Louis, MO 63105
 (314) 721 - 3911

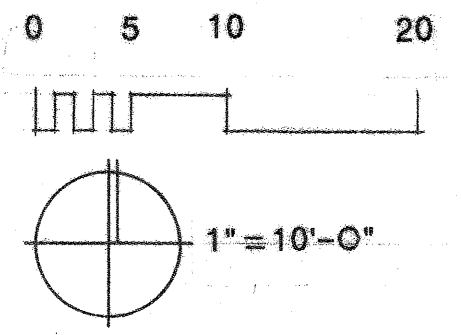


EXHIBIT-D

WATERMAN AVE



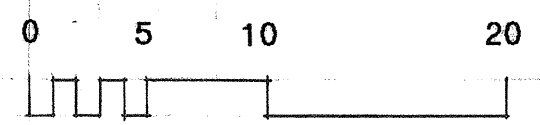
7117

7111

PROP. 7109

7107

7103



LJR

EXHIBIT-E

Section 400.1020. Lot Area and Width Exceptions. [R.O. 2011 §34-53; Ord. No. 6471 §1, 2003; Ord. No. 7095, 1-28-2019]

- A. Within the "SR" and "LR" districts, the minimum lot area and/or lot width for detached single-family and two-family (duplex) dwellings in subdivisions platted prior to the City of University City's first Zoning Code in 1926 shall be the prevailing pattern the subdivision in which the lot is located as specified in Table 1.
- B. For lots within "SR" and "LR" Districts that are not within subdivisions platted prior to 1926, a redaction in the minimum lot width for detached single-family and two-family (duplex) dwellings shall be granted by the Zoning Administrator if the lot area and/or width are consistent with the prevailing pattern of the subdivision. In determining the prevailing pattern, the lot area and/or width of at least ten (10) of the closest lots shall be considered or, if there are fewer than ten (10) lots, the prevailing pattern of the lots on the block frontage shall be considered.
- C. Table I. Subdivisions and their prevailing pattern dimensions for lots in subdivisions platted prior to the City's first Zoning Code in 1926.

Table 1		
Subdivision	Minimum Area (SF)	Minimum Width (feet)
Alta Dena	4600	45
Ames Place	5600	50
Balson's at Olive	3700	30
Balson's at Shaftesbury Heights	5100	50
Bellemoor Park	4200	40
Darstdale No. 3	3200	40
De Soto Place	3200	30
Delmar Garden	3500	40
Eastover	4600	30
Forsyth Place	4900	50
Gannondale	5100	50
Garden Heights	4700	50
Hefner Place	5000	50
Harris Place	3000	45
Jackson Park	5200	50
Kingsland Place	3600	40
Meridian	5700	50
Mount Olive	4400	35

Table 1		
Subdivision	Minimum Area (SF)	Minimum Width (feet)
Musick	5600	50
New Delmar	5500	50
North Parkview	4000	40
Northmoor	5000	40
Olivania Park	4000	40
Olive Heights	3000	30
Olive Street	3700	40
Partridge Heights	5100	50
Pearl Heights	4000	40
Pershing Heights	4200	40
Rathert Heights	3200	30
Richardson Washington Park	3900	50
Roth Grove	4000	45
Sadler Place	5000	40
Spring Avenue	5300	50
Sutter Estates	4300	45
Sutter Heights	3400	30
University Park:		
Amherst Blocks 7000-7300	4000	40
Tulane and Dartmouth Blocks 7000-7100	4000	40
Parcels north of and not including 728 Pennsylvania	4000	40
University Park No. 2	3800	40
University Terrace	4300	40
Vernon Place	3400	30
West Chamberlain Park	2900	25
West Delmar	5500	50
West Lawn	4000	30
West Portland	5100	40
West University No. 3	4500	40

Section 400.160. Density and Dimensional Regulations. [R.O. 2011 §34-30.5; Ord. No. 6587 §1, 2005]

A. *Minimum Lot Size.*

1. *Single-family detached dwellings.* Except as provided for in Article V "Supplementary Regulations", Section 400.1020, the minimum lot area and width for single-family detached dwellings shall be as follows:
 - a. *Minimum lot area.* Six thousand (6,000) square feet.
 - b. *Minimum lot width.* Fifty (50) feet.
 - c. *Prevailing pattern.* If a lot is located within a subdivision where the prevailing pattern of development has lot areas greater than six thousand (6,000) square feet or lot widths greater than fifty (50) feet, the minimum lot area or width shall conform to that prevailing pattern in the subdivision. In determining the prevailing pattern of a subdivision, the lot area or lot width of at least ten (10) of the closest lots on the same block frontage in the subdivision shall be considered or, if there are fewer than ten (10) lots, additional lots on the nearest intersecting block frontage, that is "around the corner", may be considered.
2. *Other permitted or conditional uses.* Lot area and width shall be adequate to provide the minimum setbacks required by this Section and required parking, as established under Article VII "Off-Street Parking and Loading Requirements", but in no instance shall a lot be less than six thousand (6,000) square feet in area or fifty (50) feet in width, except for public utility facilities.
3. *Public utility facilities.* Lots for public utility facilities may be less than six thousand (6,000) square feet in area or fifty (50) feet in width, provided that such lots shall not be used for any other use.

B. *Building Setback Requirements.*

1. *Single-family detached dwellings.* Except as provided for in Article V "Supplementary Regulations", Division 2, the following setback requirements shall apply to single-family detached dwellings:
 - a. *Minimum front yard setback.* Twenty-five (25) feet or if there is no platted building line (per Section 400.1060400.1060), the prevailing pattern of front yard setbacks in the subdivision, whichever is greater. In determining the prevailing pattern of a subdivision, the front yard setback of at least ten (10) of the closest lots in the subdivision shall be considered or, if there are fewer than ten (10) lots, the prevailing pattern of the lots on the block frontage shall be considered. In no case shall any minimum front yard setback be less than twenty-five (25) feet.
 - b. *Minimum side yard setback.* Five (5) feet.
 - c. *Minimum rear yard setback.* Thirty (30) feet.
2. *Other permitted or conditional uses.* The minimum setback requirements for all other principal buildings shall be the same as listed in paragraph (1) above, except that where a side yard of a non-dwelling use abuts a "SR" or "LR" zoned property, then the minimum side yard setback shall be fifteen (15) feet.

C. *Building Height Limitations.* Except as provided for in Article V "Supplementary Regulations", Section 400.1030 (height exceptions), no principal building shall exceed three and one-half (3½) stories or thirty-five (35) feet in height, whichever is less. However, if a new structure exceeds the height (as defined in Article II) of the principal structure on abutting property by more than fifteen (15) feet, then the side yard setback along the side in question shall be increased to eight (8) feet.



Department of Planning and Development

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8500, Fax: (314) 862-3168

Staff Report

Meeting Date: February 1, 2024
Case Number: BOA 23-01
Location: 7452 University Drive
Applicant: Michael Felton and Rhae Yancey
Property Owners: Michael Felton and Rhae Yancey
Request: Variance from front yard setback for overhanging eaves and gutters

Applicant's Request

The applicant is requesting a variance to maintain a front yard setback of seven (7) feet in lieu of four (4) feet for overhanging eaves and gutters, as required by §400.1040(A)(2)(d) of the University City Zoning Code, as follows:

Section 400.1040(A)(2)(d) Lot Area and Width Exceptions.

Section 400.1040 General Setback Exceptions.

A. Every part of a yard between the property lines and the required building setback line shall be unoccupied and unobstructed by any structure or portion of a structure from ground level of the graded lot upward, except for:

2. Front yards.

- a. Terraces three (3) feet or less above grade, provided such terraces shall not extend into the required front yard setback by more than ten (10) feet. Guardrails around terraces are permitted as well, provided that such guardrails shall be limited to forty-two (42) inches above the surface of such terraces.*
- b. One-story bay windows projecting three (3) feet or less into the required front yard setback.*
- c. Awnings, canopies and marquees in the "CC" district shall be permitted to project into the street right-of-way, subject to the requirements and limitations of the Building Code.*
- d. Overhanging eaves and gutters projecting four (4) feet or less into the required front yard setback.***
- e. Off-Street parking areas and access drives (See Article VII, Section 400.2020 for limitations on the location for such areas).*
- f. Signs, subject to the regulations contained in Article VIII of this Chapter.*

Standards For Granting Variances

When considering a variance, the Board must consider the following standards as identified in Section 400.2950, Subsection A of the code. The standards are as follows;

- A. The Board of Adjustment shall not grant a variance unless it shall, in each case, make specific written findings of fact directly based upon the particular evidence presented to it that support the following conclusions:
 - 1. The variance requested arises from a condition which is unique to the property in question and which is not ordinarily found in the same zoning district, and is not created by an action or actions

- of the property owner or the applicant;
2. The strict application of the provisions of this Chapter from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application;
 3. The variance requested will not adversely affect the adjacent properties or public health, safety, order, convenience or general welfare of the community; and
 4. Granting the variance desired will not violate the general spirit and intent of this Chapter.

Attachments: Submitted Application Packet with Letters/Emails of Support.
Porch elevations and plan
Section 400.1040 of the City's Zoning Ordinance

AUG 09 2023 23-0683



Department of Community Development

6801 Delmar Boulevard • University City, Missouri 63130
314-505-8500 • Fax: 314-862-3168 University City MO 63130

Application to the Board of Adjustment
For a Variance from the Requirements of the University City Zoning Code

Address of the Subject Property: 7452 UNIVERSITY DRIVE, UNIVERSITY CITY, MO 63130
Owner of the Subject Property: MICHAEL FELTON & RHAE YANCEY Day Phone: (314) 363-3482 Zoning District: SR
Address of the Owner: SAME AS ABOVE Lot Size: 5,400 SF
Appellant's Name (if other than owner): _____ Day Phone: _____
Appellant's Address: _____

I. a. Relevant Zoning Code Section(s): 400.1040 GENERAL SETBACK
b. Please explain what is proposed:
WE ARE PROPOSING MODIFICATIONS TO OUR HOME WHICH WILL ALLOW US TO "AGE IN PLACE." AS ONE OF THE SIGNIFICANT INVESTMENTS, WE WOULD LIKE TO ADD A PORCH ROOF OVER A TERRACE WHICH WOULD IMPROVE OUR FUTURE ABILITY TO CONNECT AND SOCIALIZE WITH NEIGHBORS.

II. Please describe the following as fully as possible:
a. State the particular requirements of the Zoning Code which prevent the proposed use or construction:
THE ZONING CODE LIMITS CONSTRUCTION OF ROOF OVERHANGS TO 4'-0" BEYOND THE SETBACK LINE. THIS LIMITATION DOES NOT ALLOW FOR THE CONSTRUCTION OF THE PROPOSED PORCH ROOF.

b. Explain the unique characteristics of the subject property which prevent compliance with the requirements of this chapter:
THE FACE OF THE HOUSE, WITH THE EXCEPTION OF THE BOX BAY, IS LOCATED 18" BEHIND THE SETBACK LINE. THIS DISTANCE DOES NOT ALLOW THE CONSTRUCTION OF THE PORCH ROOF.

- c. Explain the practical difficulty or particular hardship which would result if the particular requirements of the Zoning Code were applied to the subject property:

MY WIFE CARRIES A GENE WHICH INCREASES HER CHANCES OF DEVELOPING DEMENTIA IN THE FUTURE. THE INABILITY TO ADAPT THE HOUSE TO A SAFE, STIMULATING ENVIRONMENT WOULD NEGATIVELY IMPACT OUR ABILITY TO REMAIN IN THE HOUSE. THIS WOULD REQUIRE RELOCATION AWAY FROM THE NEIGHBORHOOD WE LOVE, AND RELATED FINANCIAL COSTS.

- d. State the reduction in the minimum requirements of the Zoning Code which would be necessary to permit the proposed use or construction:

THE PORCH ROOF WOULD EXTEND 3' BEYOND THE ROOF OVERHANG EXEMPTION OF 4', OR 7' BEYOND THE SETBACK LINE.

I, the undersigned understand that I must prove the following to the Board prior to them granting a variance: 1) The variance requested arises from a condition which is unique to the property in question and which is not ordinarily found in the same zoning district, and is not created by an action or actions of the property owner or the applicant; 2) The strict application of the provisions of the Zoning Code from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application; 3) The variance requested will not adversely affect the adjacent properties or public health, safety, order, convenience, or general welfare of the community; and 4) Granting the variance desired will not violate the general spirit and intent of the Zoning Code. I further understand that the concurring vote of at least four (4) of the five (5) members of the Board of Adjustment is necessary for the Board to grant a Variance of the Zoning Code.

I have read and fully understand the above paragraph and state that all claims made in this application are true.

Signature of the Applicant:  Date: 8/8/23

Representing (if applicable): _____

* ADDITIONAL INFORMATION REGARDING NEIGHBOR AND ALTA DENA TRUST SUPPORT IS ATTACHED FOR REFERENCE. 4 PAGES. MORE AVAIL

Do Not Write Below This Line - For Office Use Only

Appellant _____ Address _____

Telephone _____

Cash ___ Check ___ Received of _____

Amount _____ Date _____

Clerk's Initials ___ Receipt No. _____

* NEIGHBOR ERIN ROESLER
7454 UNIVERSITY DRIVE

Rhae Yancey

From: Rhae Yancey <rae.yancey@icloud.com>
Sent: Tuesday, August 8, 2023 7:39 PM
To: Rhae Yancey
Subject: Fwd: Need email approval-please

Sent from my iPhone

Begin forwarded message:

From: Rhae Yancey <rae.yancey@icloud.com>
Date: August 5, 2023 at 8:12:18 PM CDT
To: Michael F <mfelton@cannondesign.com>, Michael F <mfelton7452@yahoo.com>
Subject: Fwd: Need email approval-please

Sent from my iPhone

Begin forwarded message:

From: Erin Roesler <Erin_roesler@hotmail.com>
Date: August 3, 2023 at 5:05:57 PM CDT
To: Rhae Yancey <rae.yancey@icloud.com>
Subject: Re: Need email approval-please

Hi Rhae,

Thanks for reaching out. All approved on my end. I hope all goes through smoothly.

All the best,
Erin Roesler
7454 University Drive

Get [Outlook for iOS](#)

From: Rhae Yancey <rae.yancey@icloud.com>
Sent: Thursday, August 3, 2023 11:18:30 AM
To: Erin Rosler <erin_roesler@hotmail.com>
Subject: Need email approval-please

Thanks for your quick response Erin!

>

> Michael has taken his concept drawings to U. City to be granted a zoning variance to build a front porch.

>

8:38

NEIGHBORS LINDA AND VIRGE
364 MISSION DRIVE



< 493

14 Messages



Found in (Cloud Inbox)



Linda & Virge Mantle

8/2/23

To: Rhae Yancey >



Re: Need email approval-please

Anything to keep you as neighbors!!

See More



Rhae Yancey

8/2/23

Michael has taken his concept d...



* NEIGHBOR DAN CUNEO
365 ALTA DENA COURT

Rhae Yancey

From: Rhae Yancey <rhae.yancey@icloud.com>
Sent: Tuesday, August 8, 2023 7:39 PM
To: Rhae Yancey
Subject: Fwd: Need email approval-please

Sent from my iPhone

Begin forwarded message:

From: Rhae Yancey <rhae.yancey@icloud.com>
Date: August 5, 2023 at 8:13:37 PM CDT
To: Michael F <mfelton@cannondesign.com>, Michael F <mfelton7452@yahoo.com>
Subject: Fwd: Need email approval-please

Sent from my iPhone

Begin forwarded message:

From: Dan Cuneo <dhcuneo@gmail.com>
Date: August 3, 2023 at 8:21:18 AM CDT
To: Rhae Yancey <rhae.yancey@icloud.com>
Cc: Alisa Cuneo <alisagruner@sbcglobal.net>, Michael F <mfelton@cannondesign.com>, Michael F <mfelton7452@yahoo.com>
Subject: Re: Need email approval-please

Approved! Can't wait to see it.

Sent from my iPhone

On Aug 2, 2023, at 8:58 PM, Rhae Yancey <rhae.yancey@icloud.com> wrote:

Michael has taken his concept drawings to U. City to be granted a variance to build a front porch.

8:29

* ALTA DENA TRUSTEE
PHIL EASTIN

98

< Inbox

7 Messages



Phil Eastin

Yesterday

To: Michael Felton >

RE: Thanks

Michael,

I am OK with providing a statement of support for the project. Please complete and return the project approval form along with copy of the project drawing. The trustee approval doc should be part of your UC permit application and indicates AltaDena is aware and approves project. The UC application will ask if project requires trustee approval.

Let me know if you have any questions.

Phil

Sent from [Mail](#) for Windows

ALTA-DENA SUBDIVISION

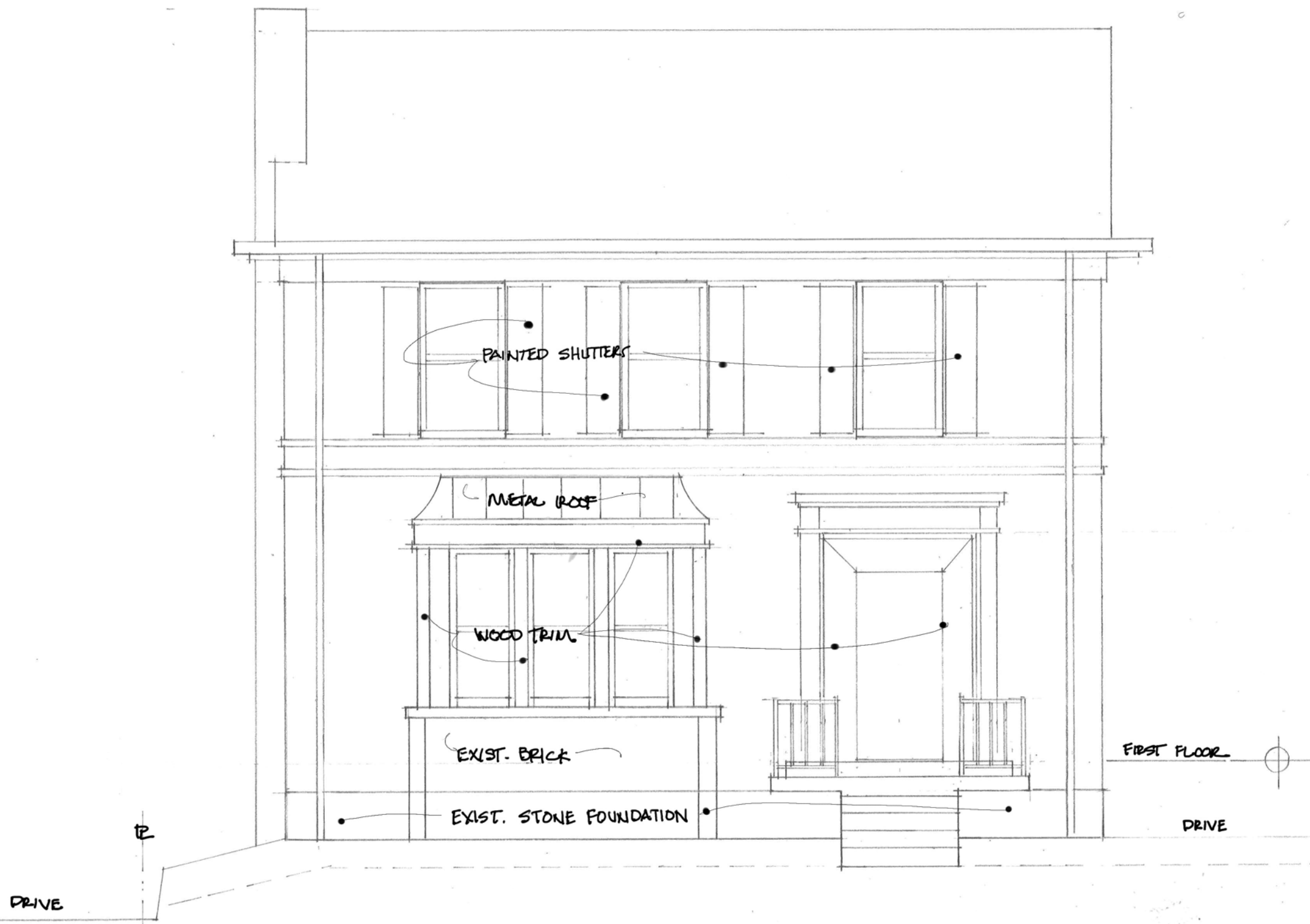
Request for Trustees' Approval for Construction

The Indenture of the AltaDena Subdivision sets forth specific requirements with respect to certain property improvements, and requires the Trustees' prior approval to ensure the planned improvements are in conformity with the Indenture.

In an effort to speed the process along, please provide the following information:

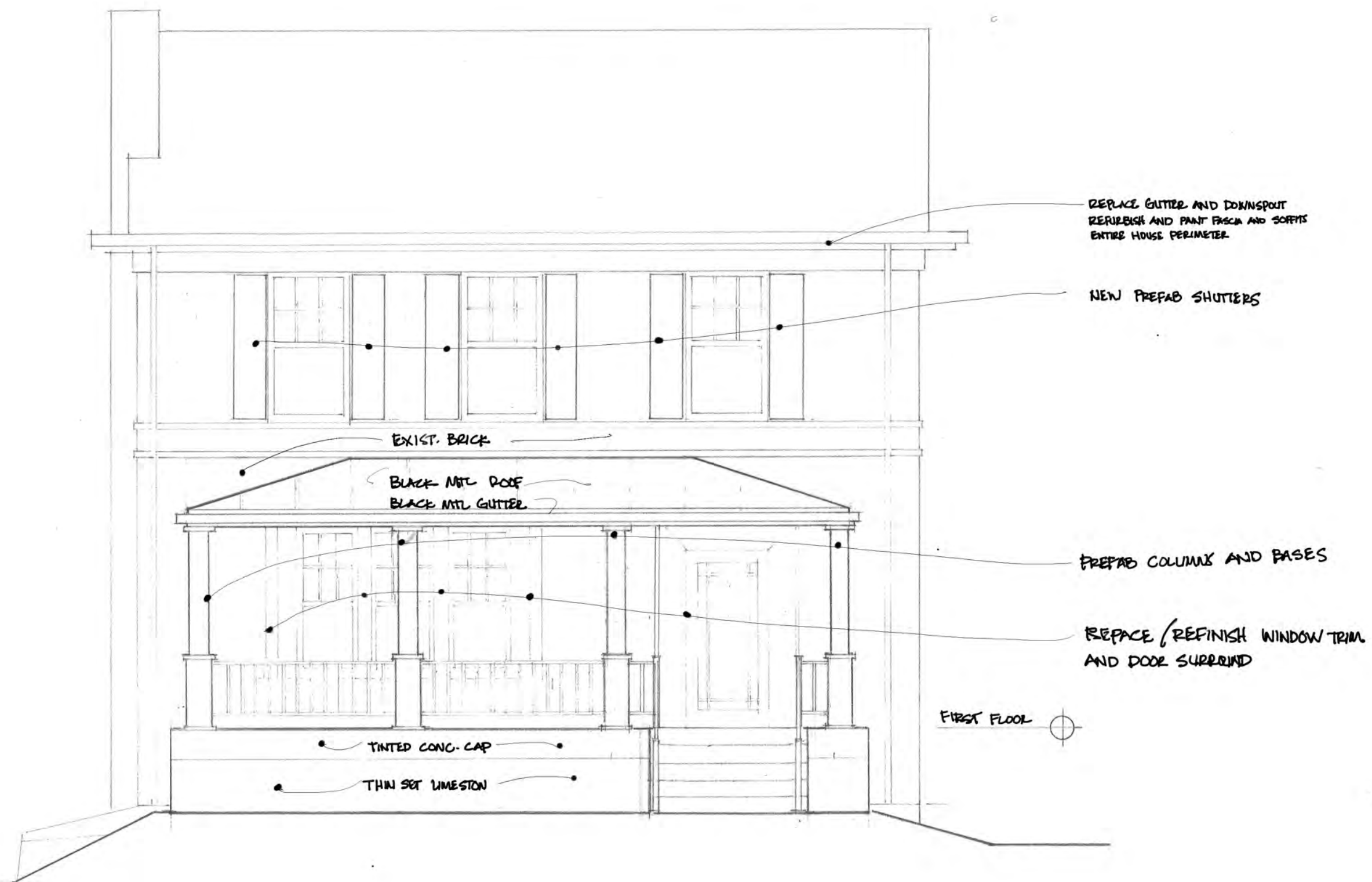
Name _____ Phone/Fax _____
Address _____ E-mail _____



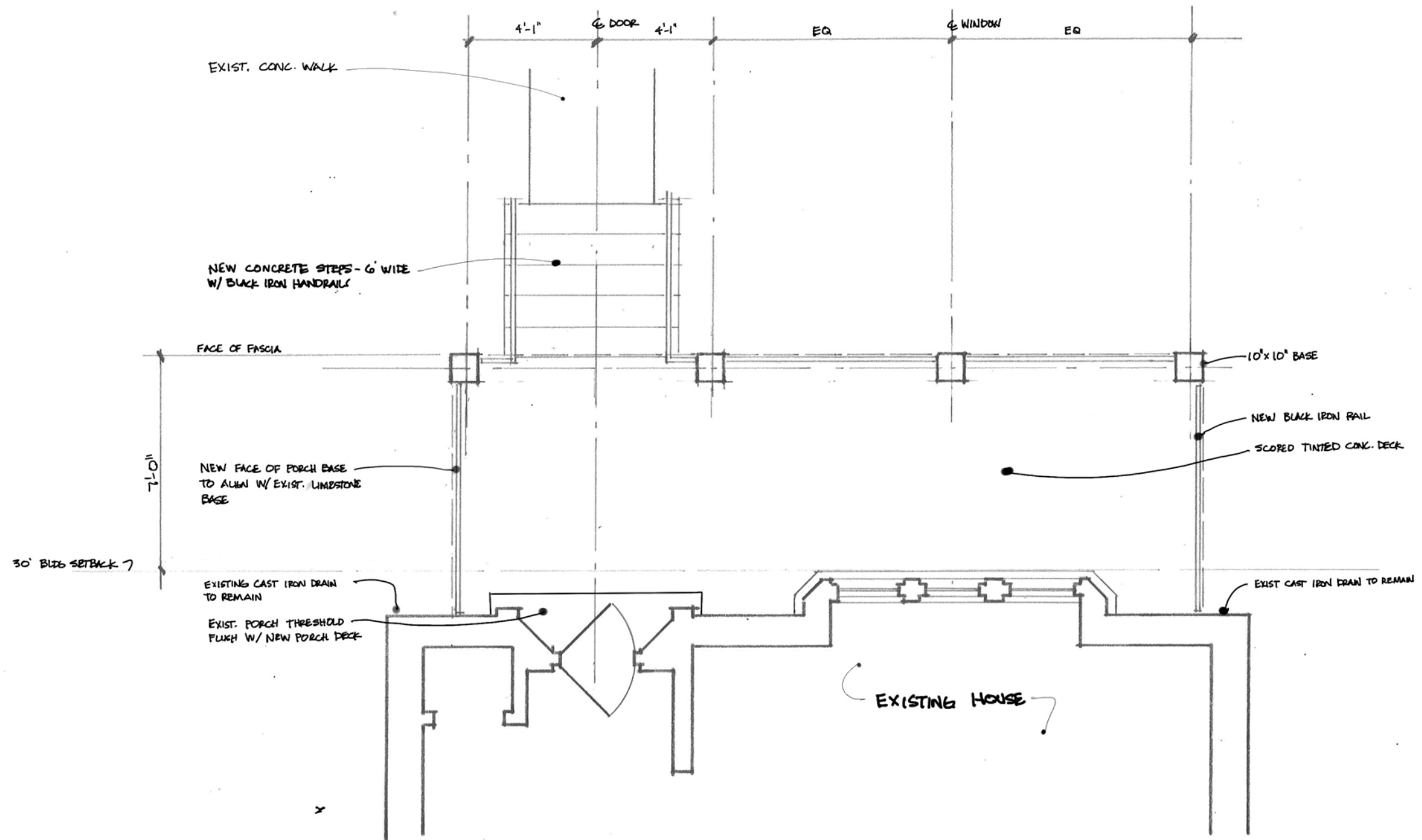


EXIST. NORTH ELEVATION

NOTES



PROPOSED NORTH ELEVATION
 NOTES



PORCH PLAN

DIMENSIONS AND NOTES

Section 400.1040. General Setback Exceptions. [R.O. 2011 §34-55.1; Ord. No. 6139 §1(Exh. A (part)), 1997; Ord. No. 6401 §1(part), 2002; Ord. No. 6741 §1, 2008]

A. Every part of a yard between the property lines and the required building setback line shall be unoccupied and unobstructed by any structure or portion of a structure from ground level of the graded lot upward, except for:

1. *All yards.*

- a. Hedges, flagpoles and other customary yard accessories, ornaments and furniture are permitted in any yard subject to location and size limitations, height limitations and requirements limiting obstruction of visibility contained in this Chapter (see Section 400.1410400.1410) or other provisions of the University City Municipal Code.
- b. Steps, ramps, or wheelchair lifts, four (4) feet or less above grade, which are necessary for access to a permitted building or structure, or for access to a zoning lot from a street or alley. Guardrails, not exceeding forty-two (42) inches above the walking surface, are permitted as well.
- c. Awnings and canopies, projecting three (3) feet or less into the required yard setback, except as provided for in Subsection (2)(c) of this Section.
- d. Ordinary projections of chimneys or other vent pipes that are suitably concealed, projecting eighteen (18) inches or less into the required yard setback.
- e. Fences, subject to the requirements of Division 7, "Fence Regulations".

2. *Front yards.*

- a. Terraces three (3) feet or less above grade, provided such terraces shall not extend into the required front yard setback by more than ten (10) feet. Guardrails around terraces are permitted as well, provided that such guardrails shall be limited to forty-two (42) inches above the surface of such terraces.
- b. One-story bay windows projecting three (3) feet or less into the required front yard setback.
- c. Awnings, canopies and marquees in the "CC" district shall be permitted to project into the street right-of-way, subject to the requirements and limitations of the Building Code.
- d. Overhanging eaves and gutters projecting four (4) feet or less into the required front yard setback.
- e. Off-Street parking areas and access drives (See Article VII, Section 400.2020 for limitations on the location for such areas).
- f. Signs, subject to the regulations contained in Article VIII of this Chapter.

3. *Rear yards.*
 - a. Terraces, porches or decks, provided such structures are located at least five (5) feet from any property line and any part of such structures that is seven (7) feet or more above grade shall not extend into the required rear yard by more than ten (10) feet. Terraces that are three (3) feet or less above grade including guardrails not exceeding forty-two (42) inches above the walking surface shall be permitted.
 - b. Accessory buildings, detached from the principal building, and located more than ten (10) feet from the principal building.
 - c. Antennas and satellite dishes.
 - d. Enclosed vestibule or breezeway containing not more than forty (40) square feet and projecting not more than six (6) feet into the required rear yard setback.
 - e. One-story bay windows projecting three (3) feet or less into the required rear yard setback.
 - f. Overhanging eaves and gutters projecting four (4) feet or less into the required rear yard setback.
 - g. Children's recreational equipment.
 - h. Laundry drying lines.
 - i. Air-conditioning equipment.
 - j. Off-Street parking areas and access drives (See Article VII, Division 2 for limitations on the location for such areas).
 - k. Traffic control devices, pad-mounted transformers, service pedestals, splice boxes and similar appurtenances required for underground utility and cable systems.
 - l. Decks less than eighteen (18) inches in height.
4. *Side yards.*
 - a. Terraces, three (3) feet or less above grade provided that such terraces shall not be located within two (2) feet of the side lot line. Guardrails around terraces are permitted as well, provided that such guardrails shall be limited to forty-two (42) inches above the surface of such terraces.
 - b. Overhanging eaves and gutters projecting into the required side yard setback for a distance not to exceed twenty-four (24) inches.
 - c. Air-conditioning equipment located not less than one (1) foot from the side lot line.

Section
400.1040

Section
400.1040

- d. Off-Street parking areas and access drives (See Article VII, Division 2 for limitations on the location for such areas).
- e. Traffic control devices, pad-mounted transformers, service pedestals, splice boxes and similar appurtenances required for underground utility and cable systems.
- f. Decks less than eighteen (18) inches in height.



Department of Planning and Development

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8500, Fax: (314) 862-3168

Staff Report

Meeting Date: February 1, 2024
Case Number: BOA 24-01
Location: 6282 Cates Avenue
Applicant: Shaun Dodson
Property Owners: MAA Properties
Request: Variance to maintain a building and parking side-yard setback of two (2) feet in lieu of five (5) feet, as required by §400.1130(C)(6)(f), and to maintain an off-street parking side-yard setback of three (3) feet in lieu of five (5) feet as required by §400.2020(D).

Applicant's Request

The Applicant is requesting two variances:

1. To maintain a building and parking side-yard setback of two (2) feet in lieu of five (5) feet, as required by §400.1130(C)(6)(f), and
2. To maintain an off-street parking side-yard setback of three (3) feet in lieu of five (5) feet, as required by §400.2020(D) of the University City Zoning Code.

Section 400.1130(C)(6)(f). Garden Apartment Buildings

C. Density And Dimensional Regulations.

1. *Minimum lot area.*
 - a. *Per development. Twenty thousand (20,000) square feet, except:*
 - (1) *"MR" zoned property. Eight thousand (8,000) square feet.*
 - (2) *"HR" zoned property. Six thousand (6,000) square feet.*
 - b. *Average per dwelling unit. Twelve hundred (1,200) square feet.*
2. *Minimum lot depth. One hundred (100) feet.*
3. *Minimum lot width. One hundred (100) feet, except:*
 - a. *"MR" zoned property. Sixty (60) feet.*
 - b. *"HR" zoned property. Fifty (50) feet.*
4. *Maximum building cluster and perimeter.*
 - a. *Building cluster. Four (4) buildings.*
 - b. *Perimeter of building cluster. Six hundred (600) linear feet.*
5. *Maximum number of dwelling units per building. Twelve (12).*
6. ***Minimum building setbacks (including accessory structures).***
 - a. *From street right-of-way. Twenty (20) feet.*
 - b. *From rear property line. Twenty (20) feet.*
 - c. *From private drives or parking areas. Ten (10) feet.*
 - d. *Adjacent to "SR" zoned property. Twenty-five (25) feet.*

- e. Adjacent to "LR" zoned property. Twenty-five (25) feet.
 - f. Adjacent to property line of adjacent lot in the same zoning district. Five (5) feet.**
 - g. Adjacent to all other properties. Ten (10) feet.
7. Minimum distance between buildings. All buildings within the development shall be separated by a distance of not less than fifteen (15) feet.

Section 400.2020 Parking and Loading Area Setback Requirements.

- D. Except for lots developed with single-family or two-family dwellings, off-street parking lots shall maintain a minimum side yard setback of five (5) feet, excluding any access drives between adjacent properties. The area within this setback shall require landscaping as approved by the Zoning Administrator.**

The site is zoned "HR" High-density residential and is currently vacant.

Standards For Granting Variances

When considering a variance, the Board must consider the following standards as identified in Section 400.2950, Subsection A of the code. The standards are as follows;

- A. The Board of Adjustment shall not grant a variance unless it shall, in each case, make specific written findings of fact directly based upon the particular evidence presented to it that support the following conclusions:
 - 1. The variance requested arises from a condition which is unique to the property in question and which is not ordinarily found in the same zoning district, and is not created by an action or actions of the property owner or the applicant;
 - 2. The strict application of the provisions of this Chapter from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application;
 - 3. The variance requested will not adversely affect the adjacent properties or public health, safety, order, convenience or general welfare of the community; and
 - 4. Granting the variance desired will not violate the general spirit and intent of this Chapter.

Attachments: Variance Application
Application Memo
Site Plan
Sections 400.1130 and 400.2020 of the City's Zoning Ordinance



Department of Community Development

6801 Delmar Boulevard • University City, Missouri 63130
314-505-8500 • Fax: 314-862-3168

Application to the Board of Adjustment For a Variance from the Requirements of the University City Zoning Code

Address of the Subject Property: 6282 Cates Ave, University City, MO 63130

Owner of the Subject Property: MAA Properties Day Phone: 314-713-9261 Zoning District: HR

Address of the Owner: PO Box 37010 Saint Louis, MO 63141 Lot Size: 5,220 SF

Appellant's Name (if other than owner): Shaun Dodson, AIA Day Phone: 480-276-0101

Appellant's Address: 2839 Lemp Ave, St Louis, MO 63118

- I. a. Relevant Zoning Code Section(s): 400.1130(C.6.f) 'Building Side Yard Setback' & 400.2020(D) 'Off-Street Parking Side Yard Setback'
b. Please explain what is proposed:

New 5 unit, 3-story apartment building constructed on an existing empty lot

II. Please describe the following as fully as possible:

- a. State the particular requirements of the Zoning Code which prevent the proposed use or construction:

A minimum 5' side yard setback is required for both the building and the associated enclosed parking area per the zoning sections noted above.

- b. Explain the unique characteristics of the subject property which prevent compliance with the requirements of this chapter:

This parcel width is 40' & similar to many others within the historic North Parkview neighborhood. These widths do not meet the Zoning Code minimum required 50' width and prevents compliance with providing required off-street parking dimensions with their associated side yard setbacks. Note: the prevailing historic side yard setbacks within the neighborhood also do not meet the current zoning code requirements and varies from 2' to 4' in width.

- c. Explain the practical difficulty or particular hardship which would result if the particular requirements of the Zoning Code were applied to the subject property:

Though the neighborhood is zoned as 'HR - High Density Residential' with dense existing historic and new apartment buildings around it, the existing 40' lot width cannot meet the required side yard setbacks applicable to the zoned 50' wide lots while meeting other conflicting zoning requirements. All other zoning requirements shall be satisfied with relief provided from the minimum side yard setbacks.

- d. State the reduction in the minimum requirements of the Zoning Code which would be necessary to permit the proposed use or construction:

(2) related side yard setbacks are requested:

- A 3' side yard setback along one side for both the building and the covered parking area (reference attached site plan)

- A 3' side yard setback along the opposite side only for the covered parking area. (reference attached site plan)

I, the undersigned understand that I must prove the following to the Board prior to them granting a variance: 1) The variance requested arises from a condition which is unique to the property in question and which is not ordinarily found in the same zoning district, and is not created by an action or actions of the property owner or the applicant; 2) The strict application of the provisions of the Zoning Code from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application; 3) The variance requested will not adversely affect the adjacent properties or public health, safety, order, convenience, or general welfare of the community; and 4) Granting the variance desired will not violate the general spirit and intent of the Zoning Code. I further understand that the concurring vote of at least four (4) of the five (5) members of the Board of Adjustment is necessary for the Board to grant a Variance of the Zoning Code.

I have read and fully understand the above paragraph and state that all claims made in this application are true.

Signature of the Applicant: Shirley Date: 12/22/23

Representing (if applicable): MAA Properties

Do Not Write Below This Line - For Office Use Only

Appellant _____ Address _____

Telephone _____

Cash ___ Check ___ Received of _____

Amount _____ Date _____

Clerk's Initials ___ Receipt No. _____

MEMO

Shaun Dodson, AIA

Date: 2023.12.22
Project: 6282 Cates Ave
University City, MO 63130

Owner: MAA Properties
PO Box 37010
Saint Louis, MO 63141
314-713-9261

Narrative Request for Zoning Variance

The owner is seeking to develop 6282 Cates Avenue into a new 5-unit, 3 story apartment building: infilling a formerly empty mid-block parcel and adding to the city's active walkable neighborhoods and attractive building stock. To meet the intent of the zoned 'HR' High Density Residential District, the owner is seeking relief from the zoning standards where a 50' minimum parcel width has 5' wide side yard setbacks required. Similar to others within the historic North Parkview neighborhood, this project's 40' parcel width cannot be developed without some relief in order to meet the spirit of the zoning ordinance and fit within the existing neighborhood density.

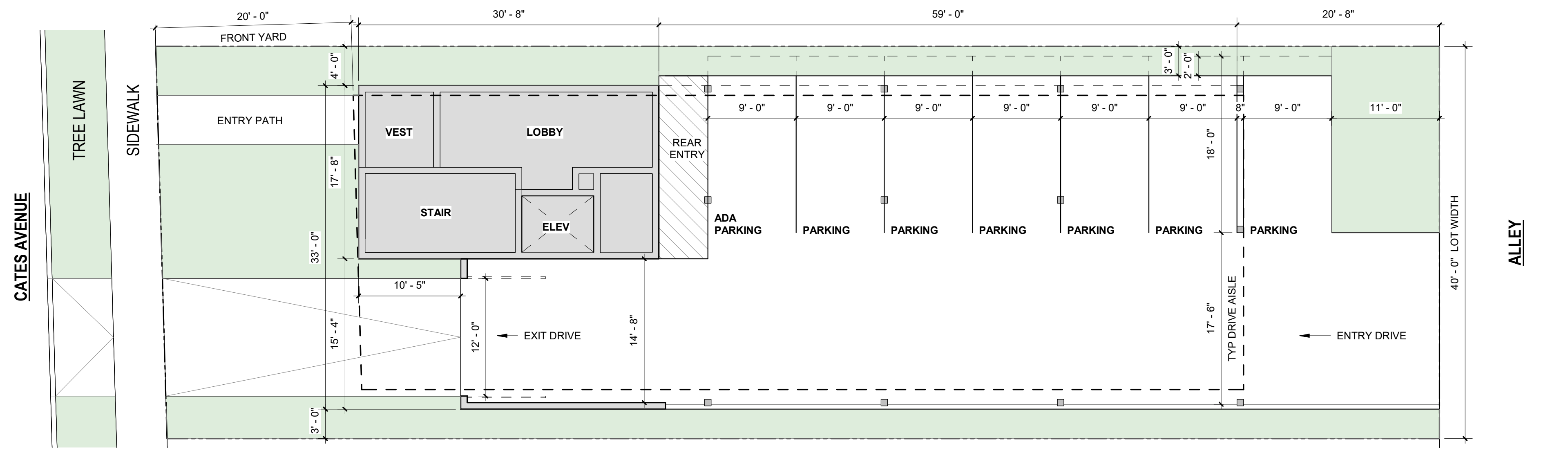
Applying 5' side yard setbacks for this parcel would result in a 30' buildable width that would create a hardship for developing this site while meeting other zoning requirements. Also note, that required setback would not correspond with the existing character and prevailing setbacks of the historic North Parkview neighborhood; the existing neighborhood setbacks vary in width from 2' to 4' in adjacent parcels along Cates Ave.

It is requested that relief from the strict 5' side yard setback required be provided by approving the proposed 3' Building & Parking Side Yard Setback shown along one side and a 3' Parking Side Yard Set Parking shown along the other side. Approval of the variance for the proposed building and its new occupants is not expected to materially impact the surrounding properties or streets.
(Reference application drawings)

Thank you,



Shaun Dodson, AIA
480.276.0101
shaun.m.dodson@gmail.com
2839 Lemp Ave St. Louis, MO 63118



ZONING REVIEW SUMMARY

GARDEN APARTMENT ZONING VARIANCES REQUESTED

SIDE YARD ENCROACHMENT:

- 3' SETBACK SHOWN AT WEST (5' REQUIRED)
- 3' SETBACK SHOWN AT EAST (5' REQUIRED)

APARTMENTS

1 BED (70 SF AVG):	2
2 BED (90 SF AVG):	3
TOTAL:	5

GROSS BUILDING AREA

1ST FLOOR:	554 SF
2ND FLOOR:	2,820 SF
3RD FLOOR:	2,820 SF
TOTAL:	6,194 SF

FAR

GROSS SF:	6,194 SF
LOT SIZE:	5,220 SF
6,264 / 5,222 =	1.18 (1.0 MAX)

PARKING

REQUIRED:	
STUDIO (1.5 SPACES / DU) =	0x 1.5
1 BED (1.5 SPACES / DU) =	2x 1.5
2 BED (2.0 SPACES / DU) =	3x 2.0
3 BED (2.0 SPACES / DU) =	0x 2.0
VISITOR SPACE (1 / 6 DU) =	0x 1.0
SUBTOTAL:	9.0 SPACES
- 10%	1 SPACE
TOTAL:	8.0 SPACES

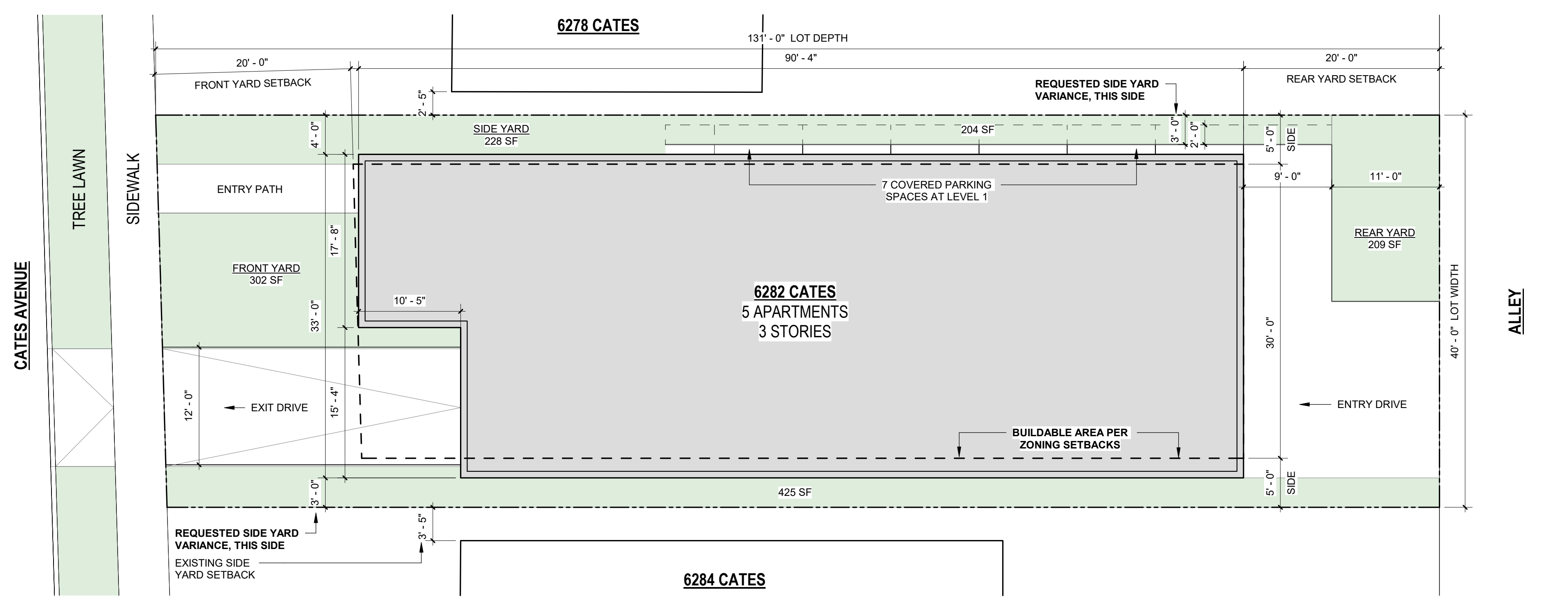
NOTE:

- 10% REDUCTION ALLOWED PER ADJACENT MASS TRANSIT LOCATIONS
- 2'-0" STALL DEPTH REDUCTION FOR 306sq PARKING SHOWN
- 20% DRIVE AISLE REDUCTION SHOWN

PROVIDED:

ON GRADE / BELOW BLDG	7 SPACES
TOTAL:	7 SPACES

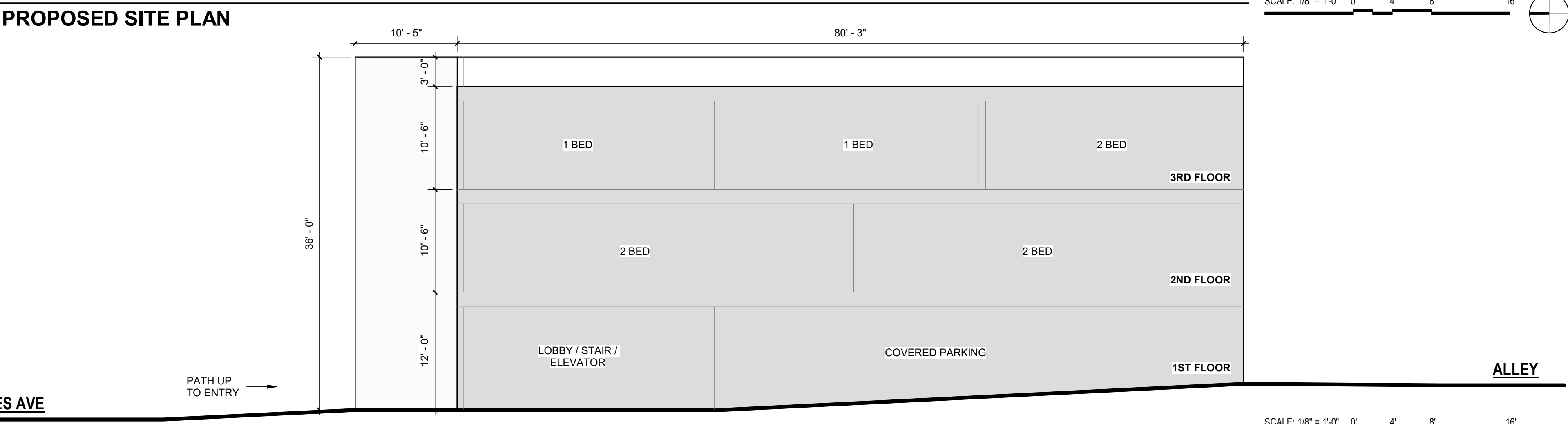
3 PROPOSED FLOOR PLAN - LEVEL 1



2 PROPOSED SITE PLAN



5 SITE CONTEXT - 6274 & 6278 CATES AVE (EAST OF SITE)



1 PROPOSED BUILDING SECTION



4 SITE CONTEXT - 6284 & 6286 CATES AVE (WEST OF SITE)

1/25/2024 9:00:45 PM

Section 400.1130. Garden Apartment Buildings. [R.O. 2011 §34-57.2; Ord. No. 6139 §1(Exh. A (part)), 1997]

- A. *Development Location.* Within the "LR" districts, garden apartment developments shall be located on a "major street", as specified in the motor vehicle and traffic regulations of the University City Municipal Code (Title III). At least thirty percent (30%) of the development's boundary shall be coterminous with the right-of-way of the major street.
- B. *Vehicle Access.* Access to a garden apartment development shall be provided by internal access drives (public or private) intersecting with a major or secondary street, but not closer than one hundred fifty (150) feet to an existing street intersection (measured from the centerline of the existing street intersection to the centerline of the access drive).
- C. *Density And Dimensional Regulations. [Ord. No. 6990 §1, 5-26-2015]*
 - 1. *Minimum lot area.*
 - a. *Per development.* Twenty thousand (20,000) square feet, except:
 - (1) *"MR" zoned property.* Eight thousand (8,000) square feet.
 - (2) *"HR" zoned property.* Six thousand (6,000) square feet.
 - b. *Average per dwelling unit.* Twelve hundred (1,200) square feet.
 - 2. *Minimum lot depth.* One hundred (100) feet.
 - 3. *Minimum lot width.* One hundred (100) feet, except:
 - a. *"MR" zoned property.* Sixty (60) feet.
 - b. *"HR" zoned property.* Fifty (50) feet.
 - 4. *Maximum building cluster and perimeter.*
 - a. *Building cluster.* Four (4) buildings.
 - b. *Perimeter of building cluster.* Six hundred (600) linear feet.
 - 5. *Maximum number of dwelling units per building.* Twelve (12).
 - 6. *Minimum building setbacks (including accessory structures).*
 - a. *From street right-of-way.* Twenty (20) feet.
 - b. *From rear property line.* Twenty (20) feet.
 - c. *From private drives or parking areas.* Ten (10) feet.
 - d. *Adjacent to "SR" zoned property.* Twenty-five (25) feet.
 - e. *Adjacent to "LR" zoned property.* Twenty-five (25) feet.
 - f. *Adjacent to property line of adjacent lot in the same zoning district.* Five (5) feet.

- g. *Adjacent to all other properties.* Ten (10) feet.
- 7. *Minimum distance between buildings.* All buildings within the development shall be separated by a distance of not less than fifteen (15) feet.

Section 400.2020. Parking and Loading Area Setback Requirements. [R.O. 2011 §34-92.4; Ord. No. 6139 §1(Exh. A (part)), 1997]

- A. Except as otherwise limited by the provisions of this Chapter, parking areas, circulation aisles, and driveways may be located in a required front yard, side yard, or rear yard.
- B. No loading space shall be closer than thirty-five (35) feet to any property in a residential district unless said space is completely enclosed by a building. No loading space shall be located within any area where parking is prohibited by this Chapter.
- C. On lots developed with single-family or two-family dwellings, no motor vehicle shall be permitted to be parked between the dwelling and any street unless such vehicle is parked upon a driveway. Said driveway shall conform to all of the following standards:
 - 1. The driveway shall not be wider than forty percent (40%) of the width of the lot on which the driveway is located or twenty-four (24) feet, whichever is less;
 - 2. The driveway shall not cover more than forty percent (40%) of the required front yard; and
 - 3. In all instances, no vehicle shall be parked so as to have any portion of the vehicle located over a public or private sidewalk or pedestrian way.
- D. Except for lots developed with single-family or two-family dwellings, off-street parking lots shall maintain a minimum side yard setback of five (5) feet, excluding any access drives between adjacent properties. The area within this setback shall require landscaping as approved by the Zoning Administrator. [**Ord. No. 7003 §1, 12-14-2015**]
- E. On residential lots with a lot width of greater than sixty (60) feet, off-street parking areas and access drives shall maintain a minimum side yard setback of five (5) feet. [**Ord. No. 7003 §1, 12-14-2015**]



Department of Planning and Development

6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8500, Fax: (314) 862-3168

Staff Report

Meeting Date: February 1, 2024
Case Number: BOA 24-02
Location: 608 Kingsland Avenue
Applicant: Max Sassouni
Property Owners: of Stone and Alter Real Estate Company
Request: Variance to §400.560 of the University City Zoning Code prohibiting dwelling units on the ground floor in the Core Commercial "CC" District.

Applicant's Request

The applicant is requesting a variance to §400.560 of the University City Zoning Code prohibiting dwelling units on the ground floor in the Core Commercial "CC" District.

Mr. Sassouni is renovating the nearly 100-year-old building located at 608 Kingsland Avenue, on the corner of Delmar Boulevard and Kingsland Avenue. He would like to include two ADA accessible apartments (2) ground floor units.

Standards For Granting Variances

When considering a variance, the Board must consider the following standards as identified in Section 400.2950, Subsection A of the code. The standards are as follows;

- A. The Board of Adjustment shall not grant a variance unless it shall, in each case, make specific written findings of fact directly based upon the particular evidence presented to it that support the following conclusions:
1. The variance requested arises from a condition which is unique to the property in question and which is not ordinarily found in the same zoning district, and is not created by an action or actions of the property owner or the applicant;
 2. The strict application of the provisions of this Chapter from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application;
 3. The variance requested will not adversely affect the adjacent properties or public health, safety, order, convenience or general welfare of the community; and
 4. Granting the variance desired will not violate the general spirit and intent of this Chapter.

Attachments: Submitted Application Packet
Section 400.560 of the City's Zoning Ordinance



Department of Community Development

6801 Delmar Boulevard • University City, Missouri 63130
314-505-8500 • Fax: 314-862-3168

Application to the Board of Adjustment For a Variance from the Requirements of the University City Zoning Code

Address of the Subject Property: 608 Kingsland Avenue

Owner of the Subject Property: Stone & Alter Real Estate Co. Day Phone: 314-727-6264 Zoning District: CC

Address of the Owner: 6631 Delmar Blvd Lot Size: 9,500 SF

Appellant's Name (if other than owner): Max Sassouni Day Phone: 314-727-6264

Appellant's Address: 6631 Delmar Blvd

I. a. Relevant Zoning Code Section(s): Please see Appendix A

b. Please explain what is proposed:

Please see Appendix A.

II. Please describe the following as fully as possible:

a. State the particular requirements of the Zoning Code which prevent the proposed use or construction:

Please see Appendix A.

b. Explain the unique characteristics of the subject property which prevent compliance with the requirements of this chapter:

Please see Appendix A.

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- c. Explain the practical difficulty or particular hardship which would result if the particular requirements of the Zoning Code were applied to the subject property:

Please see Appendix A.

- d. State the reduction in the minimum requirements of the Zoning Code which would be necessary to permit the proposed use or construction:

Please see Appendix A.

I, the undersigned understand that I must prove the following to the Board prior to them granting a variance: 1) The variance requested arises from a condition which is unique to the property in question and which is not ordinarily found in the same zoning district, and is not created by an action or actions of the property owner or the applicant; 2) The strict application of the provisions of the Zoning Code from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application; 3) The variance requested will not adversely affect the adjacent properties or public health, safety, order, convenience, or general welfare of the community; and 4) Granting the variance desired will not violate the general spirit and intent of the Zoning Code. I further understand that the concurring vote of at least four (4) of the five (5) members of the Board of Adjustment is necessary for the Board to grant a Variance of the Zoning Code.

I have read and fully understand the above paragraph and state that all claims made in this application are true.

Signature of the Applicant: *MB* Date: 12/28/23

Representing (if applicable): Stone & Alter Real Estate Co

Do Not Write Below This Line - For Office Use Only

Appellant _____ Address _____

Telephone _____

Cash ___ Check ___ Received of _____

Amount _____ Date _____

Clerk's Initials ___ Receipt No. _____

Appendix A

I.

a. Relevant Zoning Code Section(s):

Section 400.560 Permitted Uses; Section 400.570 Conditional Uses

b. Please explain what is proposed:

Stone & Alter Real Estate Co. is proposing to convert two ~500 SF ground floor commercial units at addresses 6696 Enright Avenue and 610 Kingsland Avenue into ADA accessible residential apartments. Please see Appendix B for the storefront outline of these two (currently) commercial units.

This proposed conversion would be part of a redevelopment of the residential floors 2, 3, and 4 of 608 Kingsland Ave. There is no change proposed to the former Cicero's restaurant or entertainment venue, which were located at address 6691-93 Delmar Blvd. Once the redevelopment is underway, Stone & Alter Real Estate Co. plans to find a new neighborhood bar/restaurant to occupy the former Cicero's location.

II. Please describe the following as fully as possible:

a. State the particular requirements of the Zoning Code which prevent the proposed use or construction:

In the Core Commercial "CC" District, dwelling units on the ground floor are neither a Permitted Use, nor are they eligible for Conditional Use Permit.

b. Explain the unique characteristics of the subject property which prevent compliance with the requirements of this chapter:

608 Kingsland is nearly 100 years old (1925 built) and located within the University City Civic Complex Historic District. It was originally constructed as a hotel and subsequently converted to apartments in 1950. The original elevator remains and is in working order (inspected and state certified in 2023), but it is not ADA compliant. There is no way to upgrade the elevator to be ADA compliant without increasing the size of the existing elevator shaft which would require significant structural alterations and excavating the basement further. This would be too risky and costly to make the project feasible.

The redevelopment of the 2nd, 3rd, and 4th floors of 608 Kingsland will require the construction of two ADA accessible apartments in the building. Constructing the accessible apartments themselves is not an issue but providing an accessible pathway to the apartments is "technically infeasible" per the 2018 International Existing Building Code. As such, the redevelopment project can be compliant with the 2018 IEBC with two accessible units on the 2nd, 3rd, and/or 4th floors with no accessible pathway to the units.

The proposed ground floor accessible dwelling units would not have any frontage on Delmar Blvd. When the building was first constructed, the original “loop trolley” made it’s loop around the Delmar, Kingsland, and Enright elevations of 608 Kingsland Avenue. Since then, the original trolley was removed and the 6600 block of Enright Avenue has been vacated. Previously, there were storefronts throughout the 6600 block of Enright Avenue. Both the Enright and Kingsland elevations of the building now have extremely limited pedestrian traffic. See Exhibit B for a historic and current photo of the intersection of Kingsland and Enright Avenues.

Dwelling units on the ground floor of buildings in the CC district have precedence. 605 Leland Avenue, which is on the other corner of the 6600 block of Delmar Blvd, has apartment 100 on the ground floor. 605 Leland #100 has frontage only on Leland Ave (not Delmar Blvd), which is similar to what is being proposed.

c. Explain the practical difficulty or particular hardship which would result if the particular requirements of the Zoning Code were applied to the subject property:

The building would not be able to properly serve people with physical disabilities – particularly those who are wheelchair bound.

d. State the reduction in the minimum requirements of the Zoning Code which would be necessary to permit the proposed use or construction:

Not applicable—this conversion would decrease the parking requirements per the Zoning Code because these efficiency dwelling units require fewer parking spaces (1.5 per unit) than any commercial unit would.

Appendix B



c. 1951



2023

Section 400.560. Permitted Uses. [R.O. 2011 §34-37.3; Ord. No. 6139 §1(Exh. A (part)), 1997]

A. The following land uses and developments are permitted in the "CC" district. In addition to the land uses permitted in this district, certain other land uses may be conditionally allowed per Section 400.570. Other uses not listed, which are determined by the Zoning Administrator to be identical or similar to one (1) or more of the following uses, are permitted as well. When an unlisted use is proposed, which appears to meet the intent of this district but its potential impact is uncertain, then such use shall be considered a conditional use.

1. Accessory uses (see Article V "Supplementary Regulations", Division 3);
2. Art galleries;
3. Bakeries, limited to the processing of bakery goods for sale only on the premises;
4. Bank and other financial institutions;
5. Computer stores, sales and service;
6. Dry cleaning drop-off/pickup (no cleaning facilities on site);
7. Furniture stores, home and office furnishings sales and repair, including antiques and interior decorating;
8. Grocery stores, delicatessens, and specialty food shops;
9. Outdoor dining. [**Ord. No. 6971 §1, 11-10-2014**]
10. Offices for business, professional, medical, institutional, or governmental entities;
11. Pharmacies;
12. Places of worship;
13. Restaurants;
14. Restaurants, fast-food;
15. Retail stores providing for the sale of consumer goods normally found in a shopping center or a freestanding building, including the sale of clothing and apparel, sporting goods, home or car audio/video equipment, dry goods, toys, and similar merchandise;
16. Retail service establishments, including barbershops and beauty parlors; copying and duplicating services; dressmaking or tailor shops; shoe repair shops; suntan parlors; travel agencies; typing and stenography services; and other similar service establishments;
17. Retail specialty shops, including antique shops; art and school supplies; bicycle shops; bookstores; camera shops and film developing; candy stores; card and stationery shops; florist shops; gift shops; hobby shops; jewelry stores; newspaper and magazine shops; record, tape and compact disc shops; tobacco and pipe shops; and other similar specialty retail establishments;

18. (Reserved)¹
19. Theaters, indoor; for performing arts or movies;
20. Video rental and sales stores.

1. **Editor's Note: Former Subsection (A)(18), which listed telecommunications equipment as a permitted use, was repealed 1-14-2019 by Ord. No. 7094.**