

# CITY OF FRONTENAC



Kate Hatfield  
Mayor

Jaysen Christensen  
City Administrator

**CITY OF FRONTENAC  
MEETING OF THE BOARD OF ADJUSTMENT  
TUESDAY, OCTOBER 25, 2022 5:30 P.M.  
FRONTENAC MUNICIPAL CENTER  
10555 CLAYTON ROAD**

## **AGENDA**

This meeting will be open for in-person public attendance AND available by audio conference.

### **DIAL IN INSTRUCTIONS**

<https://meet.goto.com/331010941>  
United States: +1 (872) 240-3212  
Access Code: 331-010-941

**Instructions for providing public comments:** Persons interested in making their views known may join the meeting in person or by audio conference and make public comments at points during the meeting designated by the meeting chairperson.

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. PUBLIC HEARING

1. 17 Georgian Acres –The applicant, Robert Byrne, is seeking a variance from the Frontenac yard regulations in order to construct a new single-family home. He’s requesting approval to reduce the front yard setback requirement along Georgian Acres, as well as the rear yard setback requirement.
2. 11 Geyer Wood Lane – The applicant, Julie Ferrie, is seeking a variance from the Frontenac fence regulations in order to construct a fence within the side yard on the southeast side of her home.

E. COMMUNICATIONS AND OTHER BUSINESS

F. ADJOURNMENT

# CITY OF FRONTENAC



Kate Hatfield  
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**TO:** Members of the Board of Adjustment

**FROM:** Ellen Rottjakob, AICP Shockey Consulting Services, LLC

**DATE:** October 25, 2022

**SUBJECT:** 17 Georgian Acres –The applicant, Robert Byrne, is seeking a variance from the Frontenac yard regulations in order to construct a new single-family home. He’s requesting approval to reduce the front yard setback requirement along Georgian Acres, as well as the rear yard setback requirement.

## Introduction

The applicant, Robert Byrne, is the owner of real property at 17 Georgian Acres Street. He’s requesting relief from Section 405.100 to allow construction of a new single-family residence. The subject property is located at the northwest corner of Georgian Acres Street and Geyer Road. It’s a corner lot, and therefore has two front yards. Per Section 405.100, a sixty (60) foot building setback is required along both Geyer and Georgian Acres.

The applicant is planning to replace the existing home with a new single-family residence facing Georgian Acres. Based on the information submitted by the applicant, the new home will be approximately 3,500 square feet, which is consistent with the size of new homes built in today’s housing market. In the application cover letter dated September 26, 2022, the applicant states that the size and shape of the lot makes it difficult to build a new home facing Georgian Acres within the building envelope established by the R-1 District yard regulations. Table 1 below provides the existing and proposed yard and area information for the subject property.

**Table 1. Area and Setback Information**

	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>
<b>Lot area</b>	43,560	40,856	
<b>Front Yard (Geyer)</b>	60 feet		60 feet
<b>Front Yard (Georgian Acres)</b>	60 feet		40 feet
<b>Rear Yard</b>	50 feet		30 feet
<b>Side Yard</b>	15 feet		15 feet

The Georgian Acres Subdivision trustees conditionally support the requested variances provided the home faces Georgian Acres, in order to preserve the established character of the street. The trustees also prefer that the new home does not have a circle drive within the reduced front yard setback. A letter of support from the Georgian Acres Neighborhood trustees is attached.

# CITY OF FRONTENAC



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## Analysis

### ***Board's Jurisdiction***

Section 405.190 of the Frontenac Code governs the appeal process for his case, providing:

#### *3. Powers pertaining to variances.*

- a. To authorize such variances and modifications of the strict application of the terms of this Zoning Code as are in harmony with its general purpose and intent whenever a property owner can show that a strict application of the terms of this Zoning Code relating to the construction or alteration of buildings or structures or the use of land will impose practical difficulties or unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, surrounding property protected, and substantial justice done.
- b. To permit a variation in the yard and fence requirements of any district where there are practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographic or other conditions.

### ***Code Sections from which Petitioner is Seeking Relief***

#### *Section 405.100 Table 1. District Regulations*

The subject property is located in the R-1 District, and therefore is required to provide a sixty (60) foot front yard. Because it's located on a corner, the subject property has two front yards, both of which are required to meet the minimum sixty (60) foot front yard setback requirement. A fifty (50) foot rear yard is also required in the R-1 District. Due to the size, shape and location of the lot, the R-1 District setback requirements make constructing a new home challenging, particularly when facing Georgian Acres Street.

The Board of Adjustment may add as a condition of approval that no circle driveway be permitted in the front yard.

## Exhibits

- A. Appeal to the Board of Adjustment, including application packet submitted by the applicant
- B. Hearing notice posted on the subject property and delivered via US Mail to surrounding property owners
- C. Staff Report from the City Planner Consultant dated October 25, 2022
- D. Frontenac Code of Ordinances
- E. Frontenac Comprehensive Plan
- F. Frontenac Zoning Map



**CITY OF FRONTENAC, MISSOURI**  
**Appeal to the Board of Adjustment**



Applicant ROBERT C. BYRNE

Telephone (314) 568-7586 Home (314) 567-7997 Work

Address 469 OLD POLO RUN Street ST. LOUIS City MO State 63131 Zip

Property Owner (if different from applicant) \_\_\_\_\_

Address \_\_\_\_\_  
 Street City State Zip

Address or Location of Appeal 17 GEORGIAN ACRES

Section of Zoning Ordinance being Appealed 405-100

Zoning of Property R-1 Present Use of Property RESIDENTIAL

I (we) hereby appeal the decision of the Building Commissioner and Zoning Administrator or other official or agency contained in the letter or other document(s) attached hereto, and (please check applicable line or lines)

Allege there is an error in the order, requirement, decision, or determination in such decision (see attachment)

Request a variance from the requirements of the ordinance upon which the decision is based (see attachment)

I (we) hereby certify that all the information given herein and in attachments is true

  
 Signature of Applicant

9.26.22  
 Date

September 26, 2022

Board of Adjustment

City of Frontenac

10555 Clayton rd.

Frontenac, MO 63131

Dear Sirs:

My name is Robert Byrne. I purchased the home at 17 Georgian Acres and would like to take the old house down and build a new home on this site. The original home was built in 1938. There have been some improvements over the years but it is dated and no longer addresses current homeowner needs.

Attached you will find a site plan for a new house on this property. William Cover is our architect and has created this illustration. We are targeting a 3500 square foot home. We are asking for a variance on the front setback from Georgian Acres and the rear setback facing north. This is one of the smaller lots in the neighborhood. The size and shape of the lot with the standard setbacks would make it extremely difficult to build a new home. Almost forty percent of the current house does not fit inside the standard setbacks.

The standard front setback is sixty feet. This lot is on the corner of Geyer and Georgian Acres so there are "two fronts" with sixty-foot setbacks. We are asking to use a forty-foot front setback facing Georgian Acres. The Geyer setback is not an issue with the design attached.

The standard setback for the rear of the house is fifty feet. We are asking to reduce this to thirty feet.

We have submitted this site plan to the neighborhood trustees. Their comments are included on the site plan. They support a home facing Georgian Acres. They have several other questions and requests, such as elevation and building materials. We have not developed this plan to the point we have answers to these questions but look forward to working with the trustees to construct a home that is fitting and appropriate for the neighborhood.

I appreciate your time in considering my request and am available to discuss this further as needed.

Best regards,



Robert C Byrne



*Georgian Acres Subdivision Trustees  
Frontenac MO 63131*

October 17, 2002

Board of Adjustment  
City of Frontenac  
10555 Clayton Rd.  
Frontenac MO 63131

Dear Frontenac Board of Adjustment:

On behalf of the Georgian Acres Subdivision Trustees, I am writing to express the Trustee's support of the requested variances being sought after by Robert Byrne in reference to a proposed new home construction at 17 Georgian Acres under the terms outlined below.

The Trustees have been in communication with Mr. Byrne since he closed on the property. The Trustees acknowledge that the current home may be past its useful life and construction of a new home is inevitable.

Acknowledging that 17 Georgian Acres is an irregularly shaped lot and that the current home was built prior to the existing zoning setback requirements; building a new home at this address most likely will require set back variances.

Mr. Byrne originally proposed a new home facing Geyer Rd. The Trustees on behalf of the subdivision are opposed to a new home facing Geyer Rd. for the following reasons:

- A new home facing Geyer Rd. will not align and be consistent with 1 Georgian Acres which is the home across the street at the southern entrance of Georgian Acres.
- A new home facing Geyer Rd. will detract from the unique character of street and the diminish the current curb appeal at the entrance of Georgian Acres.
- A new home facing Geyer Rd. would position the side of the home facing Georgian Acres which the Trustee's feel will be unappealing and not consistent with the other homes on Georgian Acres.

The Georgian Acres Trustees are in support of the following:

- Having a new home face Georgian Acres. The Trustees do not support a home facing Geyer Rd.
- Supporting a front yard setback variance from the code setback of 60' to a variance setback of no more than 40'.
- Supporting a rear yard setback variance from the code setback of 50' to a variance setback of no more than 30'. Note that the existing home's current rear setback is at approximately 30'.

*Georgian Acres Subdivision Trustees*  
*Frontenac MO 63131*

- The Trustees prefer a new home to not have a front circle driveway since the front yard setback most likely will need to be reduced to allow for a home to face Georgian Acres. Not having a front circle drive way will increase curb appeal and provide more green space between the home and Georgian Acres St.

In addition to the Trustee's supporting a home facing Georgian Acres; the Trustees would are also requesting to better understand the following from Mr. Byrne:

- Proposed elevations
- Proposed building materials
- Proposed architecture of the home (i.e. Cape Cod etc.)

The Trustees appreciate Mr. Byrne's willingness to work with the Trustees and Georgian Acres Subdivision.

Should the Frontenac Board of Adjust have any further questions please don't hesitate to reach out.

Sincerely,

A handwritten signature in blue ink that reads "WR Barnes III".

Bill Barnes  
21 Georgian Acres  
Frontenac MO 63131  
C: 314-578-1708  
wbarnes@naidesco.com

# CITY OF FRONTENAC



Kate Hatfield  
Mayor

Jaysen Christensen  
City Administrator

**TO:** Members of the Board of Adjustment

**FROM:** Ellen Rottjakob, AICP Shockey Consulting Services, LLC

**DATE:** October 25, 2022

**SUBJECT:** 11 Geyer Wood Lane – The applicant, Karen Marshall with Chesterfield Fence, is seeking a variance from the Frontenac fence regulations in order to construct a fence within the side yard on the southeast side of the subject property.

## Introduction

The petitioner, Karen Marshall with Chesterfield Fence, represents Julie Ferrie, the owner of real property at 11 Geyer Wood Lane. Ms. Marshall is requesting a variance from the fence regulations in Section 405.150 C.6. a. (1) to allow the extension of an existing split-rail fence through the side yard of the subject property so that the property owner can enclose her yard. As depicted in the application information, the proposed fence would connect an existing fence to the front corner side of the home (Exhibit A). The Frontenac Architectural Review Board has already approved the split-rail fence material.

The subject property is an irregular shaped lot, located on a cul de sac. The image below illustrates where the front, side and rear yards are located for the subject property, based on the yard definitions in the Frontenac Code of Ordinances:





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**BZA Staff Report – 11 Geyer Wood Lane  
Page 2**

**Analysis**

***Board's Jurisdiction***

Section 405.190 of the Frontenac Code governs the appeal process for his case, providing:

*3. Powers pertaining to variances.*

a. To authorize such variances and modifications of the strict application of the terms of this Zoning Code as are in harmony with its general purpose and intent whenever a property owner can show that a strict application of the terms of this Zoning Code relating to the construction or alteration of buildings or structures or the use of land will impose practical difficulties or unnecessary hardship, so that the spirit of the ordinance shall be observed, public safety and welfare secured, surrounding property protected, and substantial justice done.

b. To permit a variation in the yard and fence requirements of any district where there are practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographic or other conditions.

A concurring vote of four (4) Board of Adjustment members is required in order for this appeal to be granted.

***Section 405.150 Height, Yard and Area Exceptions***

Per Section 405.150 C.6. a. (1), "R-1" District fences shall comply with the following:

The fences shall be located within the rear yard (as defined in the zoning regulations) of the property.

The irregular shape of the subject property, combined with the location of the existing fence the applicant wishes to tie into, make it challenging to build the proposed fence without encroaching into the side yard.

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City Administrator

## **Exhibits**

- A. Appeal to the Board of Adjustment, including application packet submitted by the applicant
- B. Hearing notice posted on the subject property and delivered via US Mail to surrounding property owners
- D. Denial Letter from Building Commissioner
- C. Staff Report from the City Planner Consultant dated October 25, 2022
- D. Frontenac Code of Ordinances
- E. Frontenac Comprehensive Plan
- F. Frontenac Zoning Map



**CITY OF FRONTENAC, MISSOURI**  
**Appeal to the Board of Adjustment**



Applicant Karen Marshall, Chesterfield Fence

Telephone ( ) (635) 532-4054

Address 620 Spirit Valley East Dr, Chesterfield MO 63005  
Street City State Zip

Property Owner (if different from applicant) Julie Ferrie

Address 11 Geyerwood Ln Frontenac MO 63131  
Street City State Zip

Address or Location of Appeal Same as above

Section of Zoning Ordinance being Appealed Section 405.150C.4.A(1)

Zoning of Property R-1 Present Use of Property Single Family Residential

I (we) hereby appeal the decision of the Building Commissioner and Zoning Administrator or other official or agency contained in the letter or other document(s) attached hereto, and (please check applicable line or lines)

Allege there is an error in the order, requirement, decision, or determination in such decision (see attachment)

Request a variance from the requirements of the ordinance upon which the decision is based (see attachment)

I (we) hereby certify that all the information given herein and in attachments is true

Karen Marshall 10/20/22  
Signature of Applicant Date

Exhibit A. Proposed Fence Location (black lines)



11 Geyer Wood Lane – proposed fence location in side yard (white line)



