

Case Summary

Case Number	03-2023				
Zoning District	R-3				
Project Address	531 N. Crescent Dr.				
Applicant Name	Nick Liuzza, NJL Custom Homes				
Property Owner	JP and Tasha Davies				
Article	VI	Section	25-48	Sub-Section	25-48(b)(2)(i)
Variance Request	Front yard setback for new single family residence				
Required	63.05'				
Proposed	40.00'				
Variance Requested	23.05'				

History of address: N/A.

Summary Approved by: CEV



Board of Adjustment Variance Application

139 S. Kirkwood Rd. Kirkwood, MO 63122

***An appointment with staff is required prior to the submittal of a variance application to assist in preparing your submittal information. Please contact Christie Voelker, Planner I at 314-822-5899 to schedule an appointment.**

Action Requested:

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

Project Address 531 N Crescent Dr.

Type of Work: New Construction Addition Other _____

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

Has a previous variance application been filed on these premises within the last three (3) years?
 Yes No *If yes, provide available information that may affect this application.

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

Applicant Information: Property Owner Occupant Contractor Architect Other _____

Name Nick Liuzza, NJL Custom Homes Phone (314) 575-7481

Address 556 Leffingwell Ave

City/State/Zip Kirkwood, MO 63122 E-mail nickli@njlcustomhomes.com

Applicants Signature [Signature] Date 2/10/23

Property Owner Information (if different from above):
 Name JP and Tasha Davies Phone (913) 515-3055

Address 618 E Argonne Dr.

City/State/Zip Kirkwood, MO 63122 E-mail jp.davies13@gmail.com

Owner's Signature [Signature] Date 2/14/23

City Use Only _____ Date Stamp **RECEIVED**

Meeting Date: 4-10-23
 Case #: 3-2023
 Zoning District: R-3
 Received by: J. P. [Signature]

FEB 13 2023
 CITY OF KIRKWOOD
 PLANNING DEPARTMENT
 CITY'S EXHIBIT NO. 1

March 10th, 2023

RE: Board of Adjustment Variance Request – 531 N. Crescent Dr.



To Whom It May Concern:

On behalf of the owners, JP and Tasha Davies, NJL Custom Homes is requesting an adjustment to the front yard setback of the property located at 531 N. Crescent Dr.

Per the Kirkwood zoning code, in neighborhoods that are more than 40% developed, the front yard setback for a new construction single family dwelling is the average of the setbacks of the house to the abutting properties. In this case the house to the right of the property, 525 Dickson sits 80.7' from the street. There is a provision in the code that allows you to "throw out" a front yard setback if it is more than double of the average setbacks on the street. Unfortunately, we are 1.35' short from being able to use this provision for this property.

Furthermore, it has come to our attention that the property located at 525 Dickson is also intending to request a variance as the owner has plans to tear that house down as well and build a new residence. Depending on the timing, if that home was to be removed and a new home has not been started yet, then that house setback would be thrown out of the calculation.

As you can see in Exhibit A, due to the combination of the extremely deep setback on 525 Dickson, and the abnormal shape of the lot located at 531 N Crescent, a front setback of 63.05' makes it virtually impossible to build a new single-family structure on this lot.

We are respectfully requesting an adjustment be made to the front yard setback of 531 N Crescent. We are asking for that setback to be set at 40' (Exhibit B). A 40' front setback is the "standard" setback for a lot newly developed lot in R-3, the zoning district that this property is located in. The two properties to the west 503 and 515 N Crescent are both slightly closer than the 40' setback and are 39.9' and 39.8' respectively. The existing home currently has a lesser front setback of 36.2'. The new structure will be set back farther than the existing structure.

Furthermore, many of the home located on this street are considerably closer than the 40' that we are requesting. The three homes across the street from this property have setbacks of 18.90, 25.33, and 31.76 (Exhibit C).

Exhibit D shows the preliminary house footprint on the lot with requested 40' front setback.

Exhibit E shows the exterior elevations of the home that we intend to build at 531 N Crescent.
Respectfully Submitted,

Nick Liuzza
NJL Custom Homes, LLC

CITY'S EXHIBIT NO. 2



WHERE COMMUNITY AND SPIRIT MEET[®]

March 16, 2023

Nick Liuzza, NJL Custom Homes
556 Leffingwell Ave.
Kirkwood, MO 63122

Sent via email to: nickl@njlcustomhomes.com

RE: Variance Request
Case No. 03-2023
531 N. Crescent Dr.
Zoning District R-3

Dear Mr. Liuzza:

Your variance request from the Kirkwood Board of Adjustment has been set for Public Hearing on April 10, 2023, at 7:00 p.m. This meeting will be in person at Kirkwood City Hall. The Board of Adjustment is a duly constituted body with certain powers to grant a variance, which will permit a deviation from fixed standards, when the applicant can demonstrate to the Board that the standards set forth below will result in a practical difficulty. These powers are set forth in Article II, Section 25-24 of the Zoning and Subdivision Code of the City of Kirkwood; please refer to that section for any further information as to the powers of the Board as they apply to your variance.

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

Article VI, Section 25-48, Sub-Section 25-48(b)(2)(i) of the Zoning Code establishes the front yard setback for an interior lot located between two improved lots. In this instance, the required front yard setback is 63.05 feet. You are proposing a new single-family residence with a front yard setback of 40 feet. This is 23.05 feet closer to the front property line than the Zoning Code allows.

Article II, Section 25-24(c)(1) of the Zoning and Subdivision Code allows the Board of Adjustment to consider the following factors to determine whether a practical difficulty exists that would justify approval of an area or dimensional variance:

- (i) Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district. Examples of such special conditions or circumstances are exceptional irregularity; narrowness, shallowness or steepness of the lot; or proximity to non-conforming and inharmonious uses, structures or conditions;
- (ii) Whether the variance is not substantial and is the minimum necessary to make possible the reasonable use of the land or structures;
- (iii) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance;
- (iv) Whether the variance would adversely affect the delivery of governmental services such as water, sewer, trash pickup;
- (v) Whether the property owner's request can be obviated through some method other than a variance;
- (vi) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance; and
- (vii) Whether a strict interpretation of the provisions of this code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this code.

I have attached the agenda for the meeting. Please contact me if you have any questions with regard to this matter before the public hearing.

Sincerely,

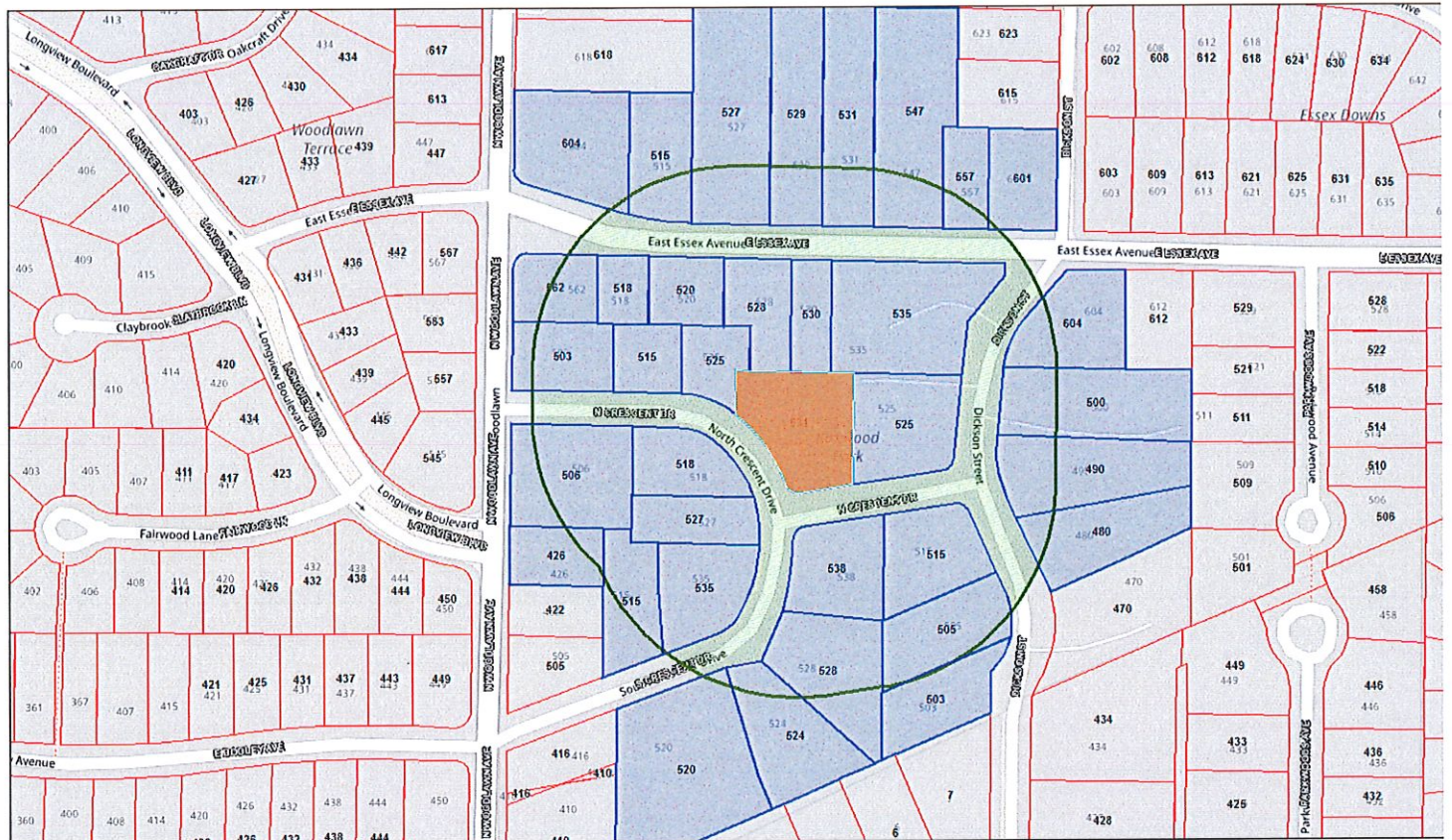
CITY OF KIRKWOOD



Christie Voelker, AICP
Planner I

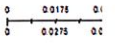
Encl. Meeting Agenda

City of Kirkwood Basemap



3/21/2023, 12:18:44 PM

- Parcels
- Districts
- Street Centerlines
- National Register
- Local Register
- Landmarks
- Landmarks



Map data © OpenStreetMap

City of

CITY'S EXHIBIT NO. 5

MICHENER CHRISTOPHER & J...
520 S CRESCENT DR
SAINT LOUIS, MO 63122

GAGE KELLY D & ALLISON E T/...
527 N CRESCENT DR
SAINT LOUIS, MO 63122

RIDLEY WILLIAM P & CHARLOT...
604 E ESSEX AVE
SAINT LOUIS, MO 63122

FINLAY KEVIN & THERESA H/W
524 S CRESCENT DR
SAINT LOUIS, MO 63122

BEAN JASON & ANGELA T/E
490 DICKSON ST
SAINT LOUIS, MO 63122

KIRCHHOFF LAWRENCE A & N...
535 DICKSON ST
SAINT LOUIS, MO 63122

MURPHY PATRICK & CAROL T/E
8 ALGONQUIN LN
SAINT LOUIS, MO 63119

HOFFMEYER NICHOLAS J & MA...
518 N CRESCENT DR
SAINT LOUIS, MO 63122

FIKE ROY K & SARAH E REVOC...
530 E ESSEX AVE
SAINT LOUIS, MO 63122

OCONNELL KEVIN T & ANN FR...
528 S CRESCENT DR
SAINT LOUIS, MO 63122

LUSK RODNEY H & SANDRA S ...
506 N CRESCENT DR
SAINT LOUIS, MO 63122

MCHUGH PATRICK N MARY C ...
528 E ESSEX AVE
SAINT LOUIS, MO 63122

SEATON SCOTT KAREN H/W
505 DICKSON ST
SAINT LOUIS, MO 63122

SANSONE GREGORY G REVOC...
28 SOMERSET DOWNS DR
SAINT LOUIS, MO 63124

MARTIN ZACKERY TYLER & LA...
520 E ESSEX AVE
SAINT LOUIS, MO 63122

COOK GREGORY R TRUST
535 N CRESCENT DR
SAINT LOUIS, MO 63122

RICHMOND F DOUGLAS & BEV...
531 N CRESCENT DR
SAINT LOUIS, MO 63122

MINTZLAFF JEFFREY & MAUR...
872 CRAIG FOREST DR
SAINT LOUIS, MO 63122

WAMBLE MICHAEL E NANCY D...
515 S CRESCENT DR
SAINT LOUIS, MO 63122

LAUBER THOMAS A SUSAN S ...
500 DICKSON ST
SAINT LOUIS, MO 63122

BOBER MICHAEL P & KAREN E ...
562 N WOODLAWN AVE
SAINT LOUIS, MO 63122

MCCORMICK GAYLE M
426 N WOODLAWN AVE
SAINT LOUIS, MO 63122

JOHNSON DUANE E JR & KATH...
525 N CRESCENT DR
SAINT LOUIS, MO 63122

HART DENIS R & SUZANNE M R...
601 DICKSON ST
SAINT LOUIS, MO 63122

OTT MATTHEW F & RACHEL M ...
538 S CRESCENT DR
SAINT LOUIS, MO 63122

FULTON DANNY D & THERESE ...
515 N CRESCENT DR
SAINT LOUIS, MO 63122

RYAN MARY IDA TRUSTEE ET A...
557 E ESSEX AVE
SAINT LOUIS, MO 63122

WRIGHT DAVID & JESSICA WA...
515 DICKSON ST
SAINT LOUIS, MO 63122

BUCHANAN DWIGHT D
503 N CRESCENT DR
SAINT LOUIS, MO 63122

FOTOUHI DAVID FARID & KATH...
515 E ESSEX AVE
SAINT LOUIS, MO 63122

AMUNDSON ELVEN J
604 N WOODLAWN AVE
SAINT LOUIS, MO 63122

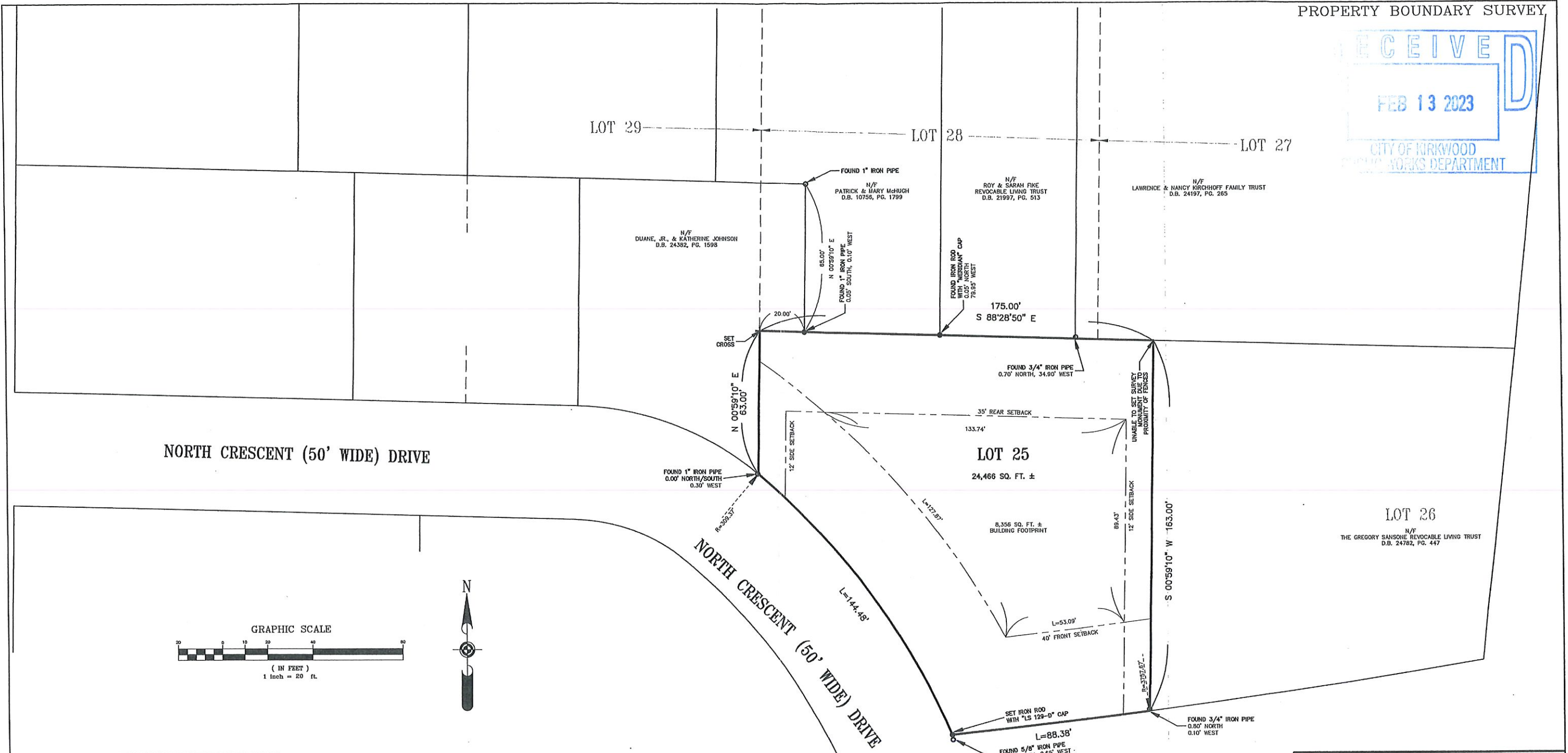
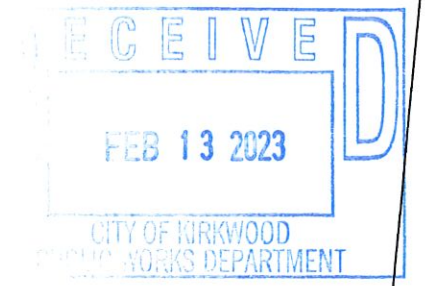
WILLMANN SHARON E JOHN S...
527 E ESSEX AVE
SAINT LOUIS, MO 63122

NIENAS JONATHAN & CHERYL ...
480 DICKSON ST
SAINT LOUIS, MO 63122

REILLY SHARON S TRUSTEE E...
529 E ESSEX AVE
SAINT LOUIS, MO 63122

LUBER FAMILY TRUST
547 E ESSEX AVE
SAINT LOUIS, MO 63122

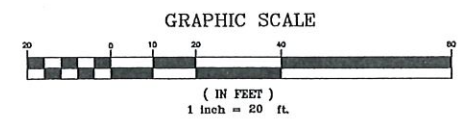
SMITH GRANT & KELLY T/E
531 E ESSEX AVE
SAINT LOUIS, MO 63122



NORTH CRESCENT (50' WIDE) DRIVE

NORTH CRESCENT (50' WIDE) DRIVE

NORTH CRESCENT (50' WIDE) DRIVE



This is to certify to the best of my belief, knowledge and ability, that James Surveying Company, at the request of Joseph Pierre Davies and Tasha Marie Davies, Trustees of Davies Family Revocable Trust and U.S. Title Guaranty Company and Old Republic National Title Insurance Company, on the 1st day of December, 2022, executed a Property Boundary Survey, based on field information obtained from field personnel under my direct personal supervision, and located the improvements on Lot 25 of KIRKWOOD PARK, according to the plat thereof recorded in Plat Book 6, Page 45 of the St. Louis County Records, in St. Louis County, Missouri, and that the results of said survey is represented upon this plat. The Building Lines and Easements, unless otherwise referenced, were taken from the Record Plat, the current Zoning Set Backs may not be shown.

Old Republic National Title Insurance Company, Issuing Agent: U.S. Title Guaranty Company
Commitment Number: 2048022-13365, Dated: November 22, 2022
Item 6: Easement for ingress and egress and the right to maintain the concrete driveway in Book 20810 Page 278 (concrete driveway appears to have been changed from the original surveyed dated of November 28, 2013 and does not include loose brick & concrete block border).

OFF-SITE SURVEY MONUMENT: Found Old Iron Pipe at the Southeastern corner of Lot 30, said point being the intersection of the Northerly line of Crescent Drive, with the Easterly line of North Woodman Avenue.

SOURCE OF BEARINGS: Adopted from the plat of "Consolidation Plat Part Of Lot 2 of Collier Estate Subdivision", Plat Book 366, Page 559.

I also declare that under my supervision and to the best of my ability and professional judgment that the results shown hereon are made in accordance with the Missouri Standards for Property Boundary Surveys as set forth by the Missouri Department of Agriculture, Division of Geology and Land Survey and rules promulgated by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects, Urban Class Survey.

This Boundary Survey is non-transferable.

2/8/2023



Leo J. Klutho
Professional Land Surveyor In Responsible Charge
Missouri Registration Number PLS-2005019212
EXPIRES: DECEMBER 31, 2023

Exhibit B

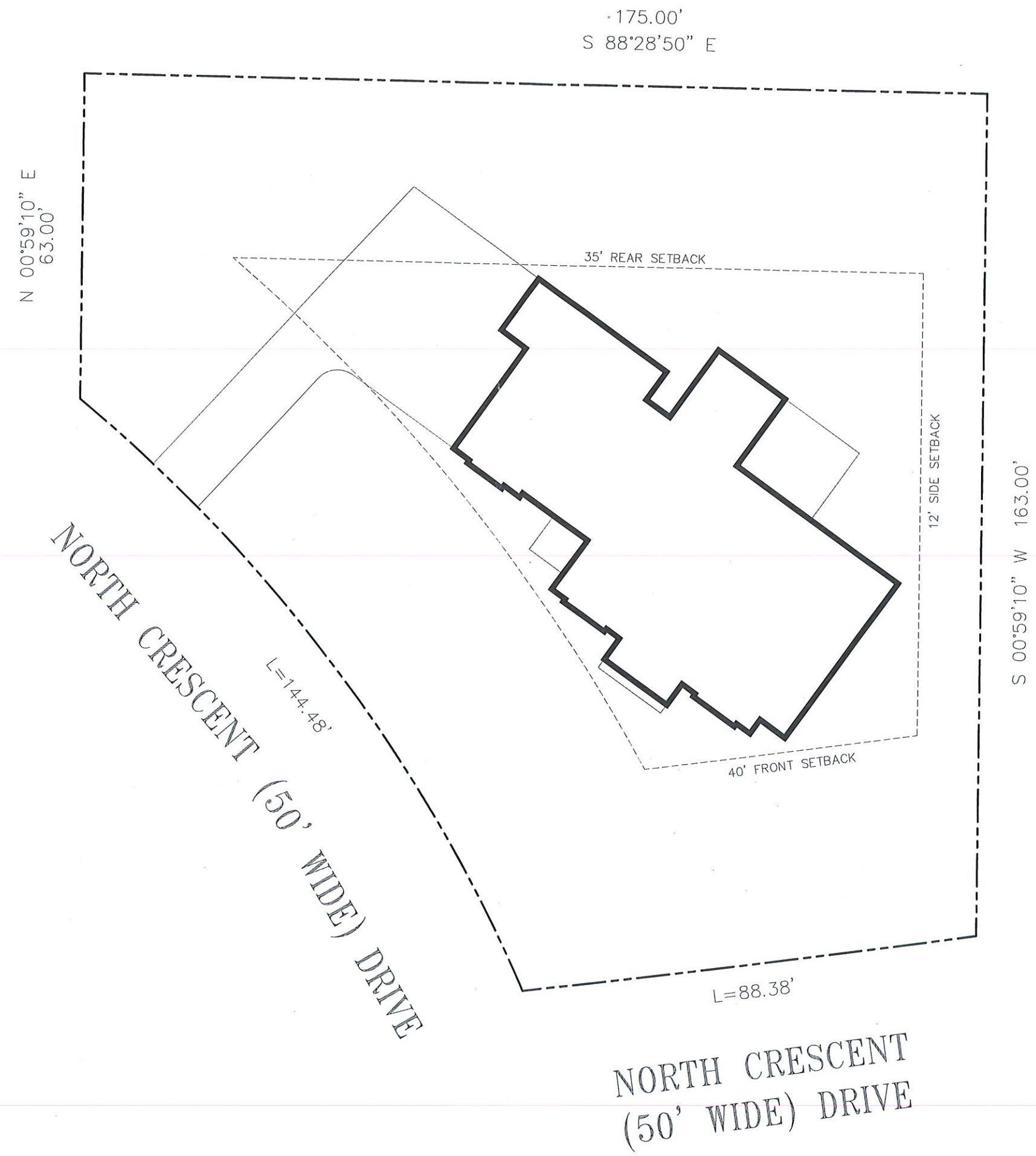
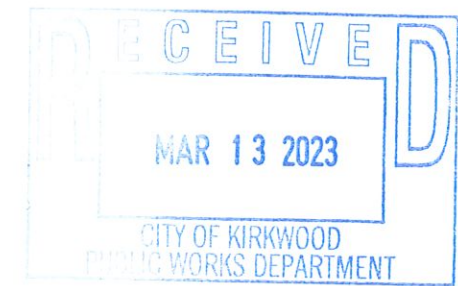
CITY'S EXHIBIT NO. 7

PROPERTY BOUNDARY SURVEY

James Surveying Company
Professional Land Surveying Corporation
Original Certificate/License No. 000129
Project Address: 531 North Crescent Drive
St. Louis, MO
63122

REV.	DATE	BY	DESCRIPTION	PROJECT NUMBER
1)	02/08/23	KSL	SITE PLAN WITH BUILDING FOOTPRINT	215101-A
SUR. G.B. DES.			PROJECT NUMBER	
DRW.	KSL	CHK. L.J.K.	SCALE: 1" = 20'	215101-A
DATE PREPARED: December 08, 2022			SHEET 1 OF 1	

JAMES SURVEYING COMPANY
LAND SURVEYORS
10811 BIG BEND BOULEVARD KIRKWOOD, MO. 63122
PHONE: (314) 822-1006 FAX: (314) 822-0006



175.00'
S 88°28'50" E

N 00°59'10" E
63.00'

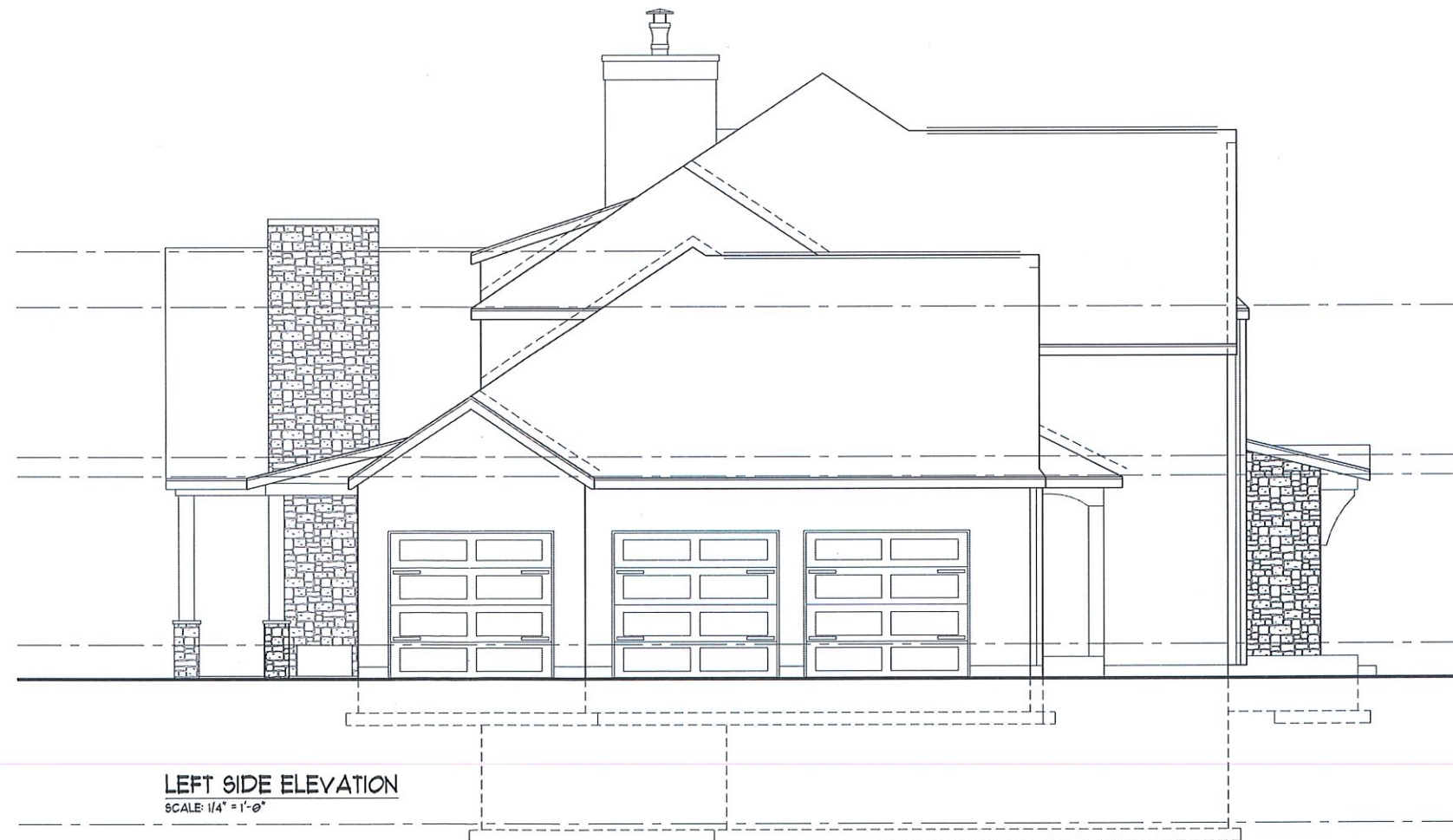
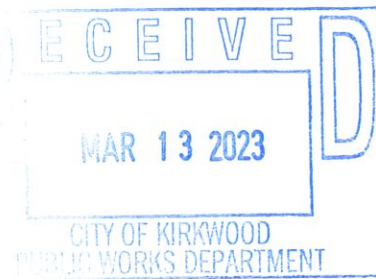
S 00°59'10" W 163.00'

NORTH CRESCENT (50' WIDE) DRIVE
L=144.48'

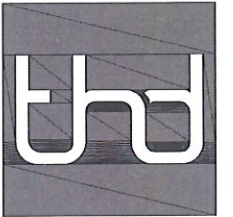
NORTH CRESCENT (50' WIDE) DRIVE
L=88.38'



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



LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



TIM HOLLERBACH
DESIGNS
1548 JEFFCO BLVD
ARNOLD, MO 63010
314-578-8470
www.timhollerbachdesigns.com

The Professional Architect's seal affixed to this sheet indicates that the named Architect has prepared or directed the preparation of the material shown only on this sheet. Other drawings and documents not exhibiting this seal shall not be considered prepared by or the responsibility of the undersigned.
© 2023 - Tim Hollerbach Designs, LLC

A NEW:
531 N. CRESCENT DR.
KIRKWOOD, MO 63122
NJL CUSTOM HOMES

DESCRIPTION:
JOB NUMBER: 22055
ISSUE DATE: 03.13.2023
REVISIONS:

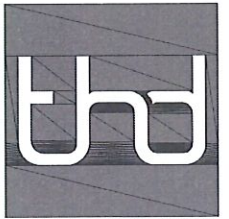
NO.	DESCRIPTION

SHEET TITLE:

BUILDING
ELEVATIONS

SHEET NUMBER:

A7



TIM HOLLERBACH
DESIGNS

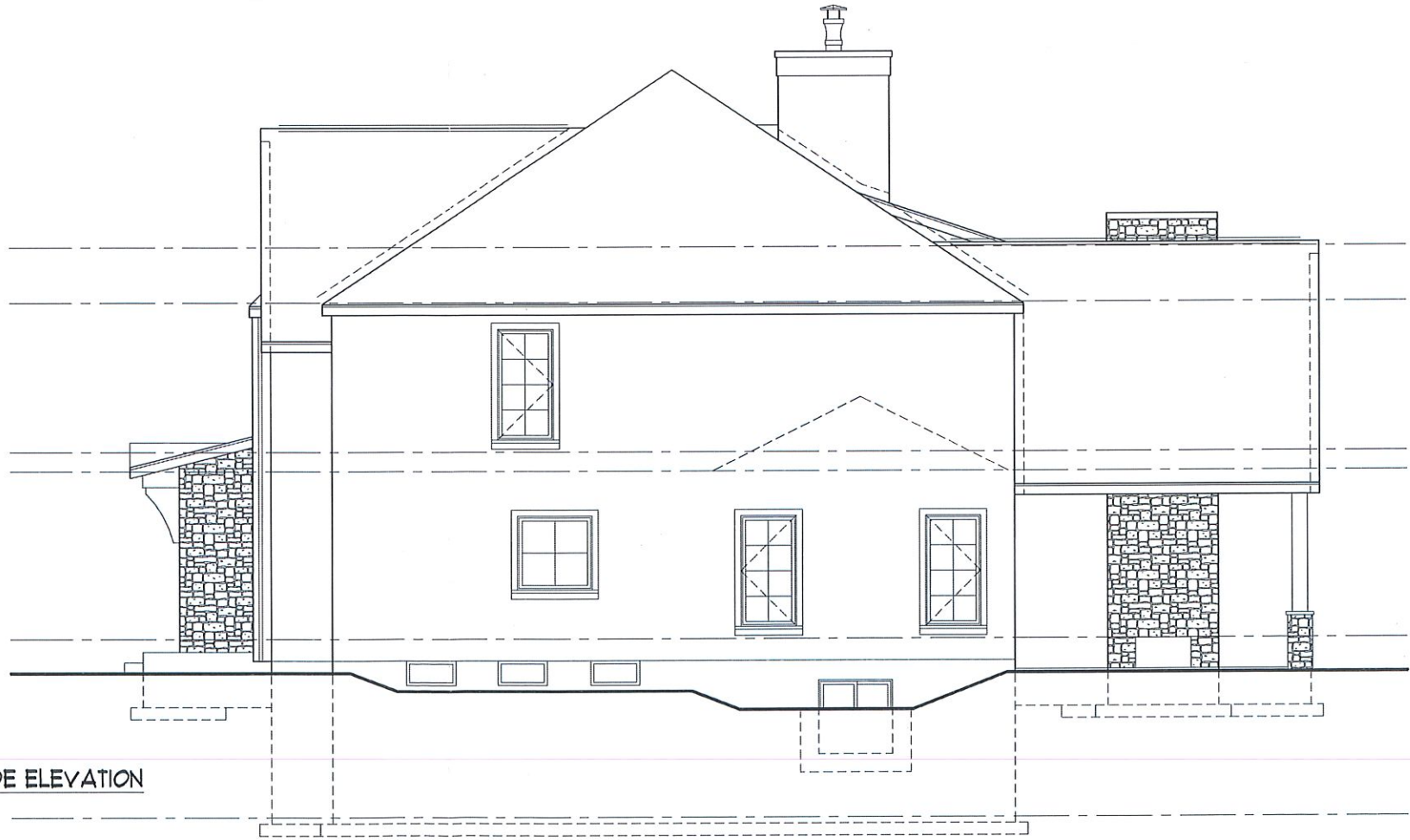
1548 JEFFCO BLVD
ARNOLD, MO 63010
314-578-9470
www.timhollerbachdesigns.com

The Professional Architect's seal affixed to this sheet indicates that the named Architect has prepared or directed the preparation of the material shown only on this sheet. Other drawings and documents not exhibiting this seal shall not be considered prepared by or the responsibility of the undersigned.

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



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

A NEW: **531 N. CRESCENT DR.**
KIRKWOOD, MO 63122
NJL CUSTOM HOMES

DESCRIPTION:
JOB NUMBER: 22055
ISSUE DATE: 03.13.2023
REVISIONS:

NO.	DATE	DESCRIPTION

SHEET TITLE:

BUILDING
ELEVATIONS

SHEET NUMBER:

A8

PROPOSED SITE PLAN 527 N CRESCENT DRIVE

THE SOUTH PART OF LOT 34 OF KIRKWOOD PARK RECORDED IN PLAT BOOK 6 PAGE 45, CITY OF KIRKWOOD, ST. LOUIS COUNTY, MISSOURI.

- IRON PIN FOUND
- IRON PIN SET
- (R) RECORD
- (M) MEASURED

TOTAL AREA
12,960± SQ. FT.
0.30± AC.

RECORD LEGAL DESCRIPTION:
BOOK 9015, PAGE 1722

THE SOUTH PART OF LOT 34 OF KIRKWOOD PARK RECORDED IN PLAT BOOK 6 PAGE 45 IN THE ST. LOUIS COUNTY RECORDER'S OFFICE AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 34; THENCE NORTH ALONG THE WEST LINE OF CRESCENT DRIVE; THENCE SOUTH ALONG THE WEST LINE OF LOT 34 AND THENCE WEST ALONG SAID SOUTH LINE 188.00 FEET TO THE PLACE OF BEGINNING.

SUBJECT TO ALL BUILDING LINES, CONDITIONS, RESTRICTIONS, EASEMENTS, RIGHTS AND POWER OF TRUSTEES NOW OF RECORD, IF ANY.

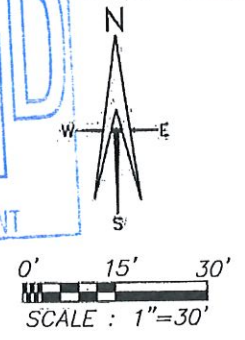
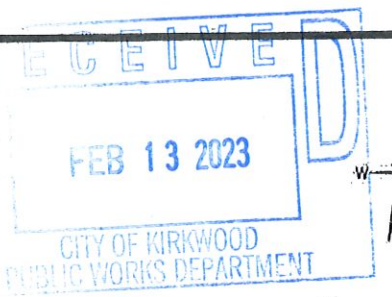
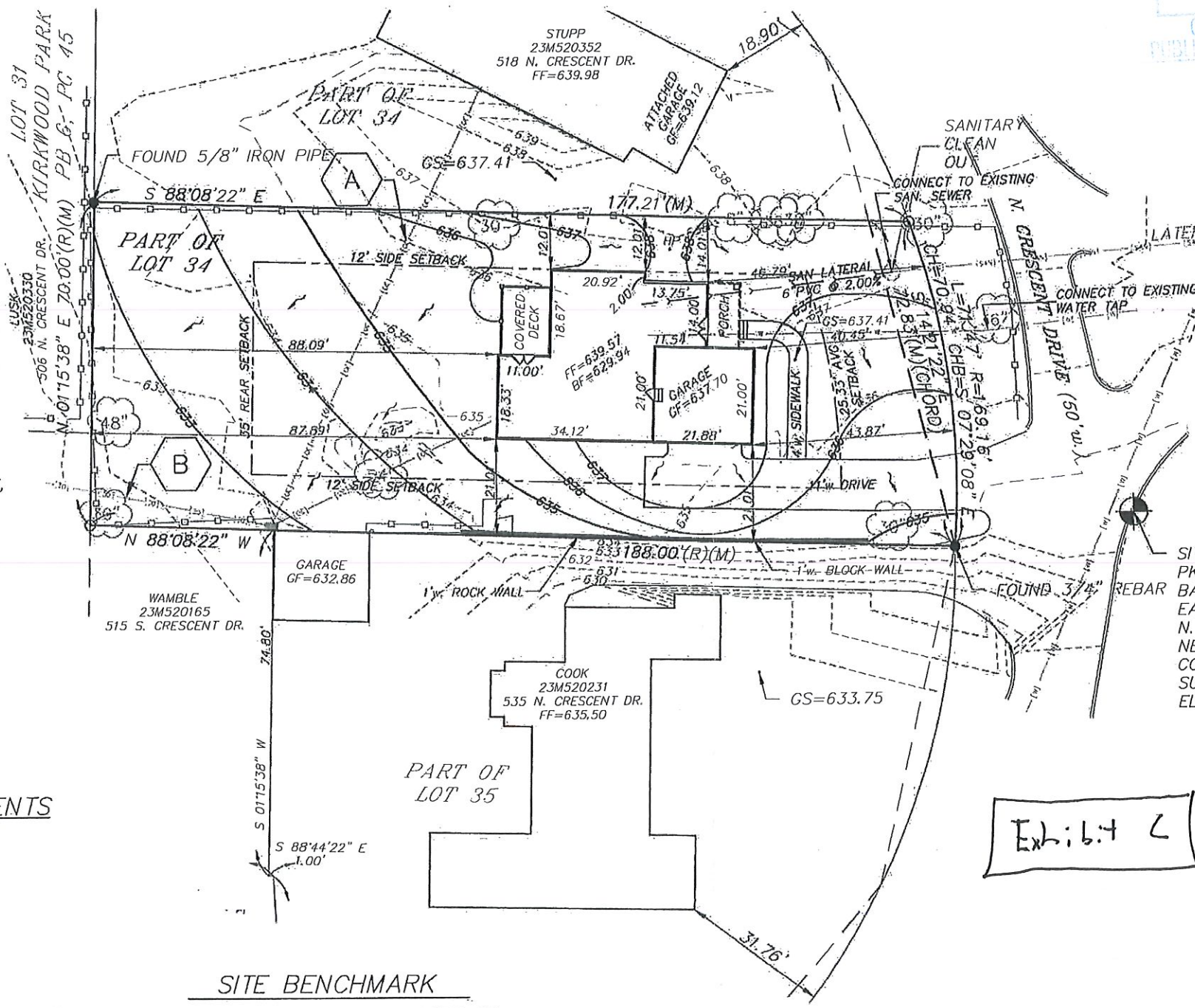
BASIS OF BEARING

BEARINGS ARE BASED ON THE SOUTH LINE OF LOT 34; SAID BEARING BEING NORTH 88 DEGREES 08 MINUTES 22 SECONDS WEST.

STATEMENT OF ENCROACHMENTS

- A** OVERHEAD ELECTRIC LINE CROSSES SUBJECT PROPERTY TO SERVICE PROPERTY TO THE NORTH, AS SHOWN.
- B** OVERHEAD ELECTRIC LINE CROSSES SUBJECT PROPERTY TO SERVICE PROPERTY TO THE WEST, AS SHOWN.

NOTE: IT IS NOT WARRANTED THAT THIS PLAT CONTAIN COMPLETE INFORMATION REGARDING EASEMENTS, RESERVATIONS, RIGHTS OF WAY, BUILDING LINES, AND OTHER ENCUMBRANCES. FOR COMPLETE INFORMATION, A TITLE OPINION OR COMMITMENT FOR TITLE INSURANCE SHOULD BE OBTAINED.



OWNER:
MARK A AND
CHRISTINE F COUCH
527 N. CRESCENT DRIVE
KIRKWOOD, MO 63122

DEVELOPER:
NJL CUSTOM HOMES, LLC
1164 ARBOR PLACE DRIVE
MANCHESTER, MO 63088
314-575-7481

SITE INFORMATION:
LOC # 23M520286
527 N. CRESCENT DR.
KIRKWOOD, MO 63122

PREPARED BY:
SHERRILL ASSOCIATES, INC.
316 N. MAIN STREET
EDWARDSVILLE, IL 62025
618-656-9251

ENGINEER:
K. RICHARD JONES, P.E.

SURVEYOR:
DAVID J. SHERRILL, P.L.S.

ZONING INFORMATION

ZONING: R-3 (SINGLE FAMILY RESIDENTIAL)

HEIGHT: 35' MAXIMUM OR 2 1/2 STORIES

LOT WIDTH: MIN OF 100'

FRONT YARD: IN BLOCKS WITH MORE THAN 40% OF THE FRONTAGE DEVELOPED, THE DEPTH OF THE FRONT YARD SETBACK DISTANCE FOR AN INTERIOR LOT LOCATED BETWEEN TWO IMPROVED LOTS SHALL BE DETERMINED BY AVERAGING THE FRONT YARD SETBACKS OF THE TWO IMPROVED LOTS.

SIDE YARD: 12'

REAR YARD: 35'

LOT COVERAGE: MAX 25% OR 2,250 SF, WHICH EVER IS GREATER

SITE BENCHMARK:
PK NAIL BEHIND BACK OF CURB ON EASTERLY SIDE OF N. CRESCENT DRIVE NEAR SOUTHEAST CORNER OF SUBJECT PROPERTY. ELEV=634.56

Exhibit C

*****NOTES**
1. HUNG PIPING MAY BE REQUIRED FOR SANITARY LATERAL, NEED TO FIELD VERIFY

SITE BENCHMARK
PK NAIL BEHIND BACK OF CURB ON EASTERLY SIDE OF N. CRESCENT DRIVE NEAR SOUTHEAST CORNER OF SUBJECT PROPERTY. ELEV=634.56

MAX FINISHED FLOOR ELEV=637.41+2.16=639.57

AVERAGE OF FINISH FLOOR HEIGHTS	
ADDRESS	FF HEIGHT
518 N CRESCENT	639.98-637.41=2.57'
535 N CRESCENT	635.50-633.75=1.75'
AVERAGE	(2.57+1.75)÷2=2.16'

EXISTING FRONT SETBACKS	
ADDRESS	DISTANCE
518 N CRESCENT	18.90'
535 N CRESCENT	31.76'
AVERAGE	(18.90+31.76)÷2=25.33'

ENGINEER'S CERTIFICATE

THIS IS TO CERTIFY THAT SHERRILL ASSOCIATES, INC AT THE REQUEST OF AND FOR THE EXCLUSIVE USE OF NJL CUSTOM HOMES, HAS PREPARED THIS EXISTING CONDITIONS SURVEY FROM RECORD SOURCES AND ACTUAL FIELD SURVEY DURING THE MONTH OF MARCH, 2017.

K. Richard Jones
K. RICHARD JONES, P.E. E-16809
IN THE STATE OF MISSOURI

4/13/17
K. R. J. 12/31/18



SHERRILL ASSOCIATES, INC.
Engineers - Surveyors - Planners
316 Main Street (618)656-9251
Edwardsville, IL 62025 (618)656-9496 fax

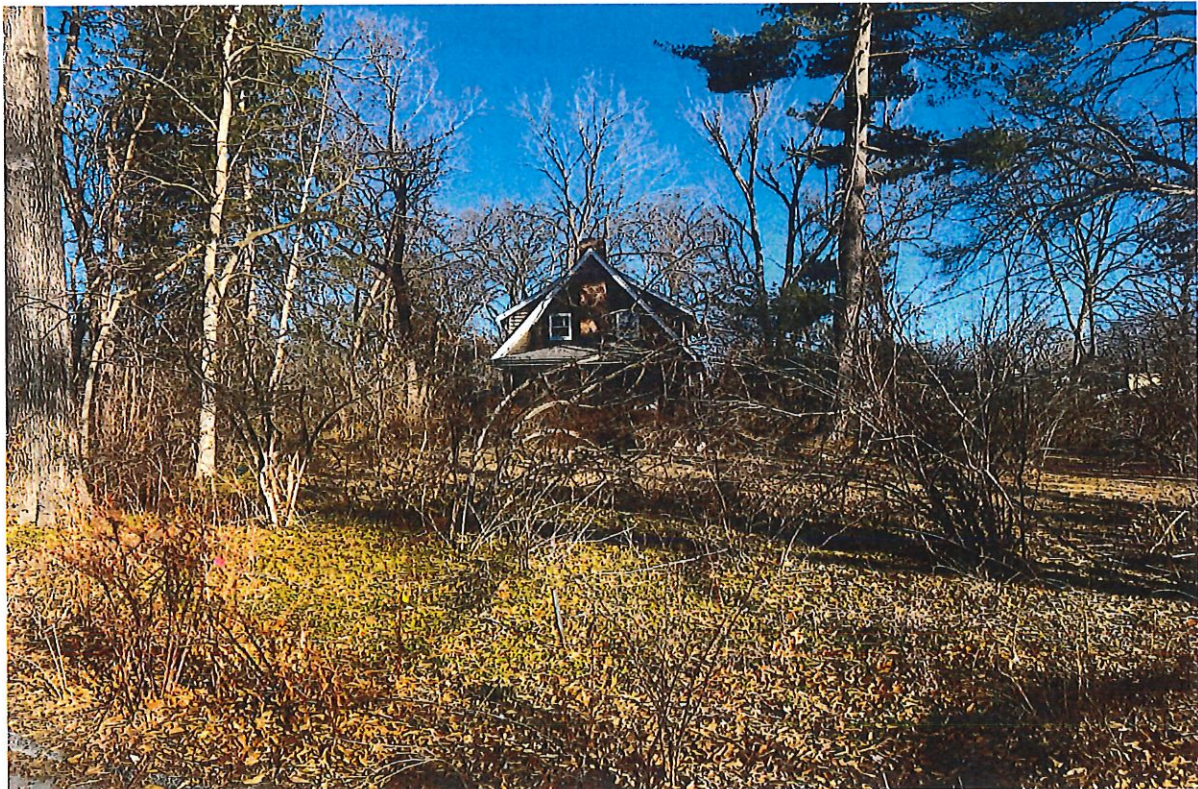
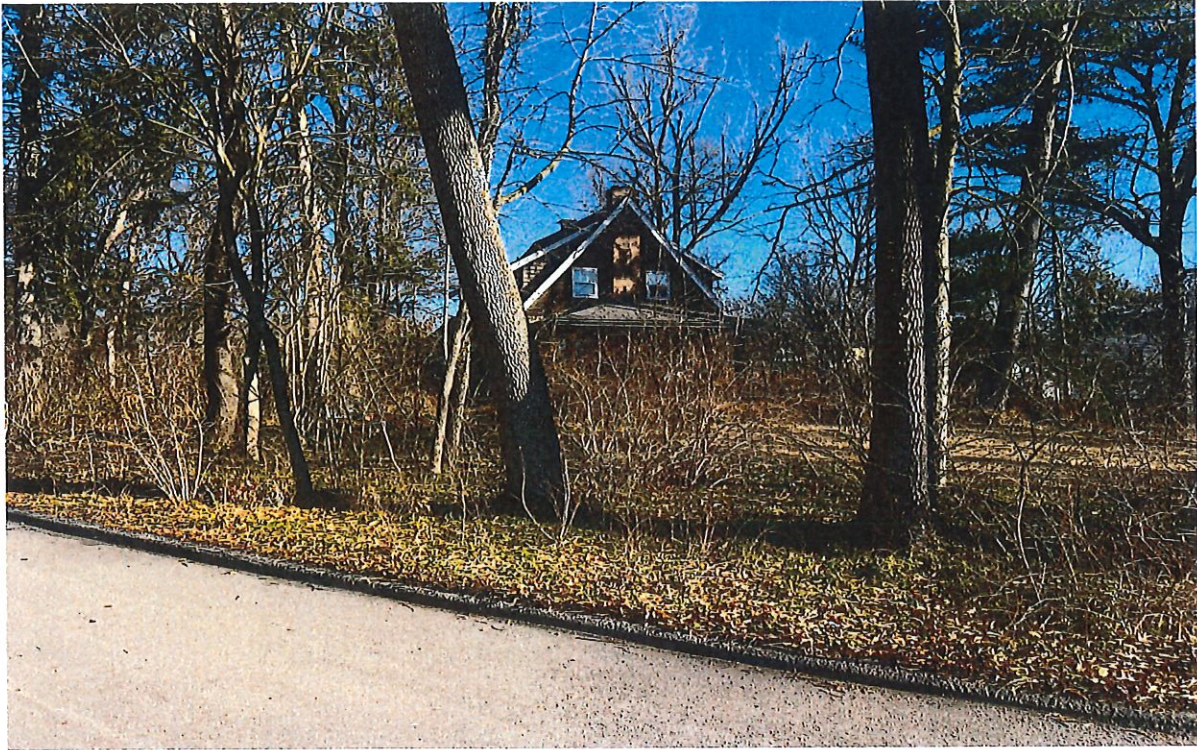
Illinois Design Firm #184-001238
Missouri Design Firm #001332

NO.	DATE	REVISION

PROJECT NO. 1709701
DRAWN SES/KWD CHECKED KRJ
DATE 3-9-17

DISCLAIMER OF RESPONSIBILITY
I hereby specify that the documents intended to be authenticated by my seal are limited to this sheet, and I hereby disclaim any responsibility for all other Drawings, Specifications, Estimates, Reports or other Documents or instruments relating to or intended to be used for any part or parts of the engineering project or survey.

SHEET 1 OF 1



Subject Property: 531 N Crescent

RECEIVED
FEB 13 2023
CITY OF KIRKWOOD
PUBLIC WORKS DEPARTMENT

CITY'S EXHIBIT NO. 10