



**O'FALLON ZONING HEARING OFFICER  
AGENDA**

**TUESDAY, OCTOBER 13, 2015  
5:00 P.M.**

**O'FALLON CITY HALL  
CITY COUNCIL CHAMBER  
255 SOUTH LINCOLN AVENUE**

- 1) Call to Order
- 2) Identification of Parties Present
- 3) Old Business – none
- 4) Public Hearings –
  - a) **(ZHO2015-13)** Area Bulk Variance to allow construction of a 4-unit villa which will extend 4.5 feet into the minimum required 25 ft front yard setback, located in an “MR-1(P)” Planned Two-, Three-, & Four-Family Residential Zone District. The property is located at 1084, 1086, 1088, 1090 Richland Park Drive, lot 18 Stone Bridge Villas; Petitioner and Owner is Stone Bridge Villas, LLC.
- 5) Upcoming Public Hearings – None
- 6) Other Reports and Communications – none
- 7) Adjournment

General Citizen Comments: The City of O'Fallon welcomes comments from our citizens. The Illinois Open Meetings Act provides an opportunity for citizens to speak at all committee and Board meetings. However, 5 ILCS 120/1 mandates that NO action shall be taken on matters not listed on the agenda. Please submit your name to the chairman and limit your comments so that anyone present has the opportunity to speak.



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M E M O R A N D U M

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TO: Hearing Officer  
FROM: Justin Randall, Senior City Planner  
THRU: Ted Shekell, Community Development Director  
DATE: October 13, 2014  
SUBJECT: ZHO 2015-13: 1084 – 1090 Richland Park Drive - Area-Bulk Variance

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Location: 1084 – 1090 Richland Park Drive, O'Fallon, IL  
Applicant: Stone Bridge Villas, LLC., Bryan West  
Owner: Stone Bridge Villas, LLC., Bryan West  
Submitted: September 8, 2015

**Variance Application Summary**

The applicant, Stone Bridge Villas, LLC., requests an area-bulk variance to allow them to construct a 4-plex residential unit closer to the Richland Park Drive than the Code of Ordinances allows. The applicant is requesting an area-bulk variance:

--Reduce the front setback for a residential 4-plex (25 feet to 20.50 feet)

**Existing Conditions**

The subject property is located in Stone Bridge Villas on Lot 18 (Building 18-will contain 4 attached units). The Stone Bridge Villa development is a part of a larger Stone Bridge Estates development, which included the villa development, a single-family subdivision consisting of 73 lots and an outlot where Joe's Place (adult daycare facility) is currently under construction. The property is zoned MR-1(P), Two-, Three- and Four-Family Residence Dwelling District. The MR-1 zoning district setbacks include 25 feet in the front, 25 feet in the rear, and 5 feet on the sides.

Lot 18 of the Stone Bridge Villas is located at the rear of the development and currently has not be created as a lot by St. Clair County. The County has delayed creating the parcel until the developer has submitted the condominium plat. The developer has five buildings planned along the east side of Richland Park Drive. Directly behind the proposed five buildings is a large detention area and a large overhead electric transmission line. The applicant has requested to construct a building on Lot 18 that will unfortunately have a 60-70-foot electric transmission line pole directly behind the building. The building is proposed to be constructed in a portion of the project that is still under development, with new buildings under permit to the north and south of the proposed building. There are two existing four-family buildings directly across Richland Park Drive.

### **Background & Hardship Argument**

The applicant is seeking a variance to reduce the front setback requirement of 25 feet down to 20.50 feet. The applicant has identified the existing electric transmission line pole to be a hardship. The applicant is seeking the variance to construct a four-family building 4.5 feet closer to Richland Park Drive, thereby providing greater separation from the rear of the building and the large electric pole. The applicant's design of the building would place the walls of two of the units in Building 18 approximately 35 feet from the electric pole and the patios of those units to within 15 feet of the electric pole. If the variance were to be granted the building would be approximately 40 feet from the electric pole and the patios would be approximately 20 feet from the electric pole.

A reduction to the front setback for the property would not hinder other property owners. Currently, there are no other property owners on the same side of Richland Park Drive.

### **Hearing Officer Review of Area-Bulk Variance**

Article XV "Variances and Appeals" of Chapter 158: Zoning of the City of O'Fallon's Code of Ordinances states that a request for a variance, other than a use variance, may be granted, upon a finding and determination on the record of the Hearing Officer that the requirements of this Section are met and that all three of the following conditions are satisfied or upon such conditions as may the Hearing Officer establishes as will meet such conditions:

1. **The property in question cannot yield a reasonable return if permitted to be used under the conditions allowed by the applicable zoning regulations; and**

The property would still most likely be able to yield a reasonable return if the front setback remained at 25 feet instead of the requested 20.50 feet.

2. **The plight of the owner is due to unique circumstances; and**

The plight of the applicant is unique. The placement of the building would allow an additional separation from the large electric pole. Although the electric lines traverse the entire rear of the development the only lot affected by the electric pole is Lot / Building 18.

3. **The variance, if granted, will not alter the essential character of the locality.**

The minor adjustment to the front yard setback would not alter the overall character of the Stone Bridge Villas development.

### **Staff Recommendation**

In light of the facts of the case and the unique nature of power pole in the rear of Stone Bridge Villas Building 18, staff recommends the variance request be granted, subject to the decision of the Zone Hearing Officer.

### **Attachments**

- a) Petition for Area-Bulk Variance Application
- b) Aerial Map
- c) Site Plan

# PETITION FOR AREA-BULK VARIANCE

Updated March 11, 2014

Community Development Department, O'Fallon City Hall  
255 South Lincoln Avenue 2nd Floor  
O'Fallon, IL 62269 Phone (618) 624-4500 Ext. 4

SEP - 8 2015

DATE PAID

Variance Request No. \_\_\_\_\_  
Date: \_\_\_\_\_

ZH02015-13

9-8-15

(Do not write in this space -- For office use only)

Date set for hearing: October 13, 2015 Perm. Parcel No. 03-360 301-024  
Date hearing held: \_\_\_\_\_ Fee paid: \$ 225.00 Date: 9-8-15  
Newspaper: \_\_\_\_\_ Building Permit App. No. \_\_\_\_\_  
Action by Zoning Hearing Officer: \_\_\_\_\_ Comments: (indicate other actions such as continuances)  
\_\_\_\_\_  
( ) Denied  
( ) Approved  
( ) Approved with modification

**INSTRUCTIONS TO APPLICANTS:** All information required by the application must be completed and submitted herewith. Applicants are encouraged to visit the Community Development Department for any assistance needed in completing this form.

1. Name of property owner(s): Stone Bridge Villas, LLC. Phone: \_\_\_\_\_  
Mailing address: 14244 Finger Lake Drive Chesterfield MO 63017 Mail: \_\_\_\_\_
2. Applicant's name: Same Attn: Bryan West Phone: 138 N. Meramec Ave  
Mailing address: \_\_\_\_\_ E-Mail: Clayton, MO  
63105
3. Property interest of applicant (Owner, Contractor, etc.): Owner
4. With respect to any portion of these premises, a previous appeal or petition for variance was made:  
☒ No. ( ) Yes. If "yes", list all previous appeals and/or petitions, giving dates:  
\_\_\_\_\_
5. Address of property: 1084, 1086, 1088, 1090 Richland Park Drive  
Present use of property: Vacant Parcel (Tax) ID #: 03-36-0-301-024 Zone District: MR-1(P)
6. Do the existing structures comply with all area and bulk regulations for the zone district in which it is located? ☒ Yes ( ) No  
If "no", specify each non-conforming condition:  
\_\_\_\_\_
7. Variance requested: Request a 5 foot encroachment of the front yard setback for 1084-1090 Richland Park Drive (one four-plex).
8. Are the conditions of hardship for which you request a variance peculiar only to the property described by this petition?  
☒ Yes. ( ) No. If "no", how many other properties are similarly affected? \_\_\_\_\_
9. A sketch plan (drawn to approximate scale) shall be shown on the reverse side or may be attached showing the following:
  - a) Dimensions of the zoning lot;
  - b) Dimensions and use of all buildings;
  - c) Location of proposed use requiring a variance;
  - d) Any additional information as may be reasonably required by the Community Development Department.

10. A use variance is requested for the property described above in conformity with the documents submitted herewith.

I certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true and accurate.

I consent that the entry in or upon the premises described in this application by any authorized official of O'Fallon, Illinois for the purpose of inspecting or of posting, maintaining, and removing such notices as may be required by law.

Date: 9/8/15

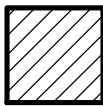
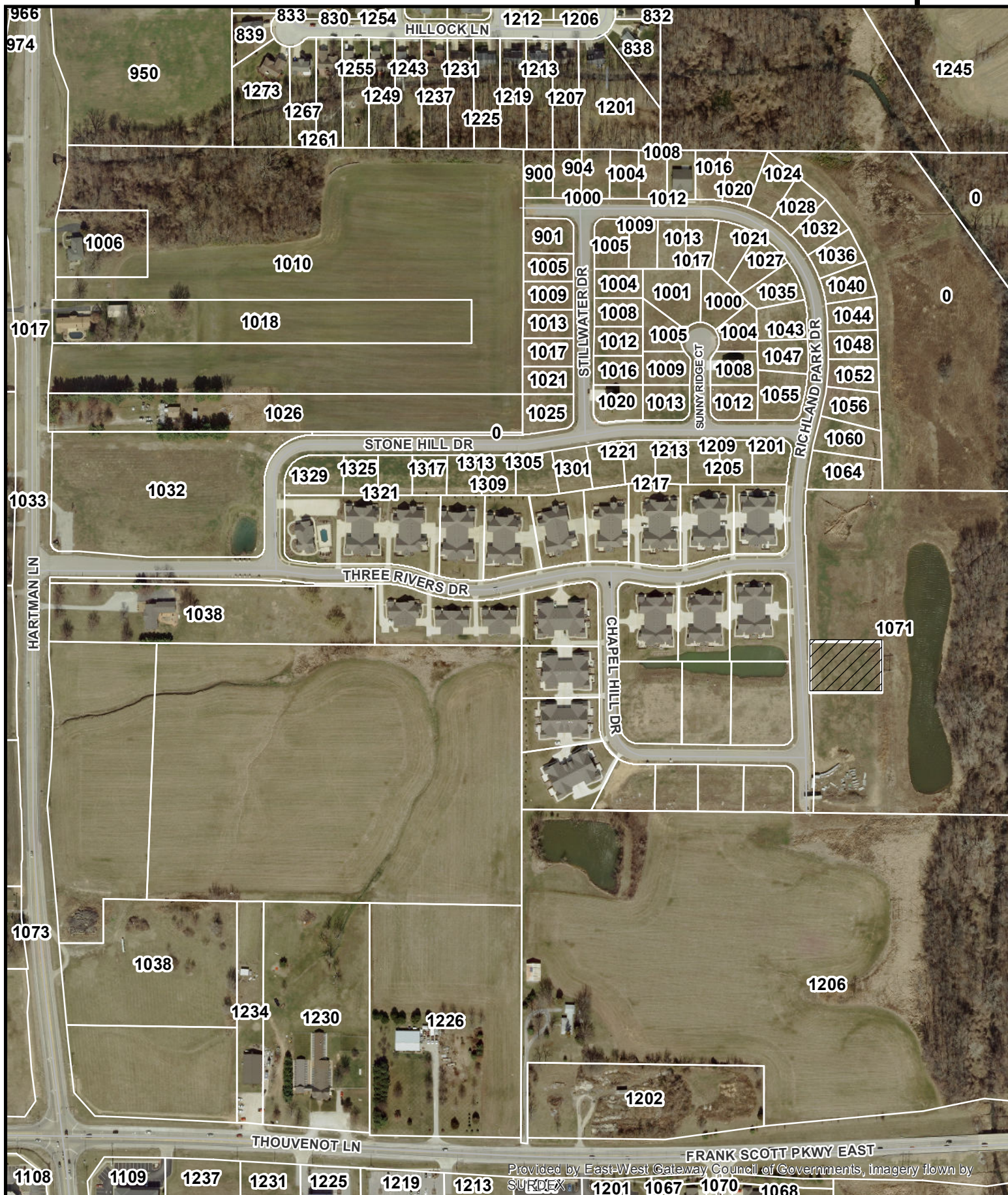
Signature of Applicant: Joni West

Date: 9/8/15

Signature of Owner: Joni West



## ZHO2015-13: Richland Park Drive - Aerial Map



Subject  
Property





THOUVENOT,  
WADE &  
MOERCHEN, INC.  
ENGINEERS ♦ SURVEYORS ♦ PLANNERS



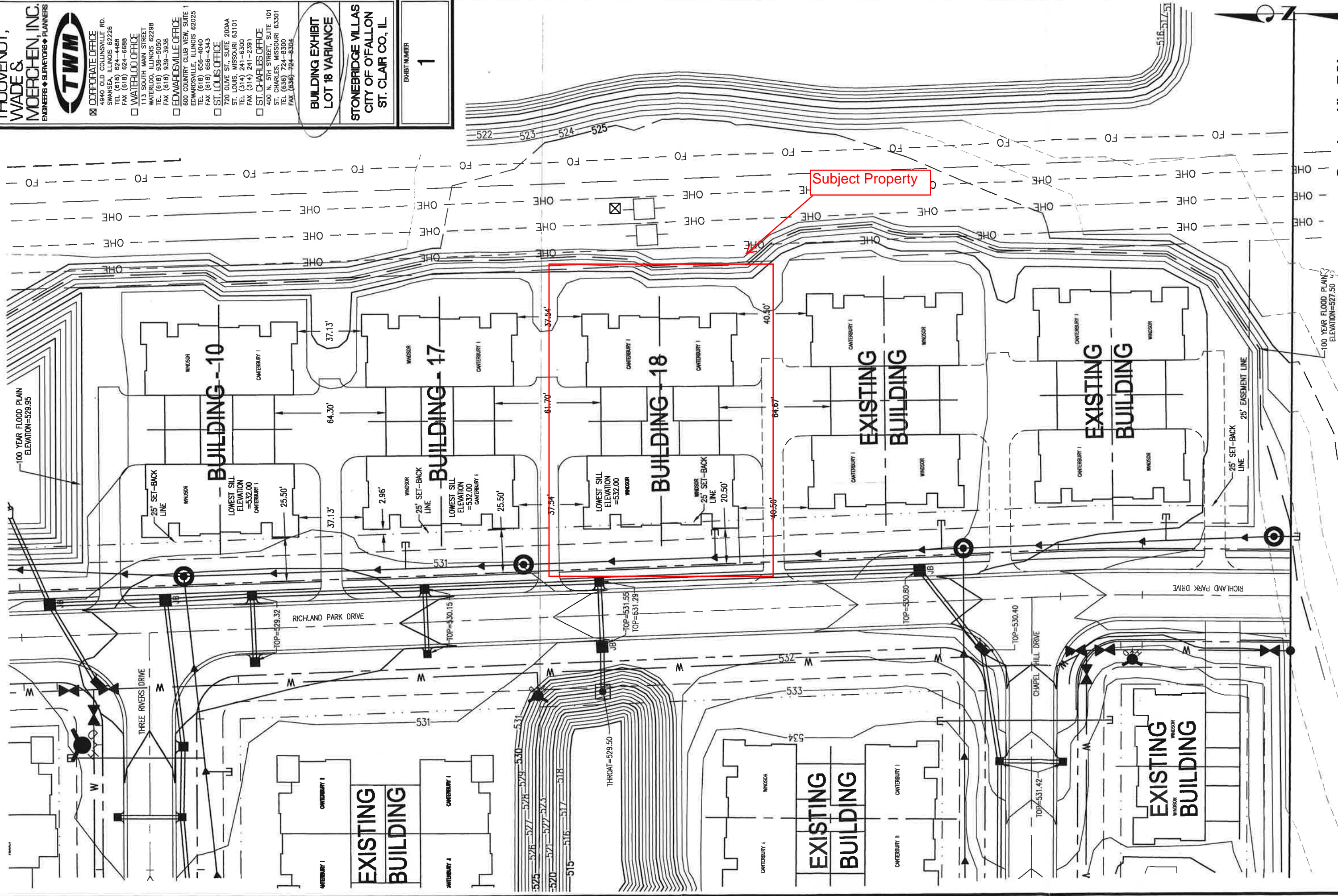
☑ CORPORATE OFFICE  
4940 OLD COLLINSVILLE RD.  
SWANSEA, ILLINOIS 62226  
TEL (618) 824-4486  
FAX (618) 824-6666  
☐ WATERLOO OFFICE  
113 SOUTH MAIN STREET  
WATERLOO, ILLINOIS 62298  
TEL (618) 939-5050  
FAX (618) 939-3936  
☐ EDWARDSVILLE OFFICE  
800 COUNTRY CLUB VIEW, SUITE 1  
EDWARDSVILLE, ILLINOIS 62025  
TEL (618) 656-4040  
FAX (618) 656-4343  
☐ ST. LOUIS OFFICE  
720 OLIVE ST., SUITE 200AA  
ST. LOUIS, MISSOURI 63101  
TEL (314) 241-6300  
FAX (314) 241-2391  
☐ ST. CHARLES OFFICE  
400 N. 5TH STREET, SUITE 101  
ST. CHARLES, MISSOURI 63301  
TEL (636) 724-8300  
FAX (636) 724-8304

BUILDING EXHIBIT  
LOT 18 VARIANCE

STONEBRIDGE VILLAS  
CITY OF O'FALLON  
ST. CLAIR CO., IL

EXHIBIT NUMBER

1



Scale: 1"=50'