CITY OF Glendale
424 N. Sappington Road Glendale, Missouri 63122 (314) 965-3600 fax (314) 965-4772 www.glendalemo.org

APPEAL TO THE BOARD OF ADJUSTMENT

APPLICANT: NJL Custom Homes DATE: 4/15/26

PROPERTY OWNER: Jason & Michelle Fank ZONING DISTRICT: R-1

ADDRESS of PROPERTY: 785 Bismark Avenue Glendale, MO 63122

TELEPHONE: Day (_636_) 222 - 2605 Home (____) _____

Section 1: Basis for Granting Variances:

A variance can only be granted when the strict application of the zoning regulations of Chapter 400 of the Glendale Municipal Code would result in peculiar and exceptional practical difficulties or exceptional and undue hardship upon the owner of such property by reason of at least one of the following:

a. *Area Variances*. When, by reason of exceptional narrowness, shallowness or shape of a specific piece of property on April 24, 1963, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, which condition is not generally prevalent in the neighborhood, the strict application of the area regulations of this Chapter would result in peculiar and exceptional practical difficulties or exceptional and undue hardship upon the owner of such property, the Board is hereby empowered to authorize upon an appeal relating to such property, a variation from such strict application so as to relieve such difficulty or hardships.

b. *Use Variances*. The Board of Adjustment is empowered to grant use variances only upon findings that all of the following five factors are established:

   1. The applicant will be deprived of all beneficial use of the property under any of the permitted uses in the zoning district in which the property is located, all beneficial use being lost only where the property is not suitable for any use permitted in the City's zoning ordinance for that zoning district; and

   2. The applicant has sufficiently demonstrated unnecessary hardship by expert testimony and/or documentation and not mere conclusionary or lay opinion that the property in question cannot yield a reasonable return if used only for a purpose or purposes permitted in the zoning district in which that property is located; and

   3. The plight of the owner is due to exceptional or unique circumstances and not due to general conditions in the neighborhood; and

   4. The use to be authorized by the variance would not alter the essential character of the neighborhood; and

   5. The proposed use to be authorized by the use variance would not constitute a change in the district map, impair an adequate supply of light and air to adjacent property, increase congestion in public streets, increase the danger of fire, materially diminish or impair established property values within the surrounding area and would not in any other respect impair the public health, safety, comfort, morals and welfare of the City.

For details of the Board's authority to grant a variance, see Sections 400.910-400.970 of the Glendale Code.

Please note that the desire to use certain space, whether interior or exterior, in a particular manner is not a basis for the Board to grant a variance.

Section 2: Explanation for Applicant's Appeal:
Please explain the basis for the appeal. In order to qualify for a variance, you must provide information as to why the variance request fits within at least one of the reasons under Section 1 above.

Please see the Board of Adjustment Letter / Variance Request Letter.

The Board of Adjustment meeting is the first Wednesday of every month at 6:00 p.m. Along with the $100.00 application fee, the following must be submitted:

1.) The reason(s) for the variance under the Board's authority (see above).
2.) Ten (10) copies of scaled drawings to include an existing survey, site plan and any other construction drawings.
3.) Photographs of both the owner's property and the adjacent property or properties relevant to the property line and setback requirements in question. Photographs should include existing structures and other existing site improvements relevant to the property line.

Sara Olsen

updated 9/19 Petitioner