

DOCKET 1165

DATE OF HEARING	September 2, 2014
NAME	Robert Hermann, Jr.
DESCRIPTION OF PROPERTY	30 Foreway
CAUSE FOR APPEAL	Relief from the decision of the Building Official for a new residence which violates Section IV, C, 2 of Zoning Ordinance 1175.
RULING OF THE BOARD	After a discussion of the facts presented, the Board continued the case to allow the project architect time to revise the proposed design to comply with the City's ordinance.

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Tuesday, September 2, 2014

DOCKET 1165
30 Foreway

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, September 2, 2014, at City Hall.

The following members of the board were present:

Mr. Stanley Walch, Chairman
Ms. Robby Toft
Mr. David Schlafly
Ms. Liza Forshaw
Ms. Laura Long

Also present were: Mayor Nancy Spewak; Mr. James Schmieder, Director of Building & Zoning; and Mr. Michael Gartenberg, Building Official.

Mr. Walch called the meeting to order at 4:00 PM.

Notice of Public Hearing, as follows:

**NOTICE OF PUBLIC HEARING
ZONING BOARD OF ADJUSTMENT
CITY OF LADUE, MISSOURI
DOCKET NUMBER 1165**

Notice is hereby given that the Zoning Board of Adjustment of the City of Ladue, St. Louis County, Missouri, will continue a public hearing on a petition submitted by Robert Hermann, Jr., 30 Foreway, St. Louis, MO 63124, requesting relief from the ruling of the Building Official who declined to issue a permit for an ornamental garden element which violates Sections IV, C, 2 of Zoning Ordinance 1175.

The hearing will be held at 4:00 p.m. on Tuesday, September 2, 2014, at the City Hall, 9345 Clayton Road.

The hearing will be public and anyone interested in the proceedings will be given the opportunity to be heard.

Pursuant to Section 610.022 RSMo., the Zoning Board of Adjustment could vote to close the public meeting and move to executive session to discuss matters relating to litigation, legal actions and/or communications from the City Attorney as provided under section 610.021 (1) RSMo.

Stanley Walch, Chairman
Zoning Board of Adjustment

Mr. Walch introduced the following exhibits to be entered into the record:

Exhibit A – Zoning Ordinance 1175, as amended;
Exhibit B – Public Notice of the Hearing;
Exhibit C – Permit denial dated July 30, 2014;
Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance dated August 11, 2014, and any letters of support;
Exhibit F – Entire file relating to the application.

Mr. Mark Critchfield, project architect, provided a summary of the project to the Board. Mr. Critchfield stated the proposed garden wall is part of a formal garden area and is meant to separate the garden from the adjacent property. Mr. Critchfield noted the hardship is the ornamental wall which is not allowed by the City's fence ordinance.

Mr. Critchfield commented that the wall was an ornamental garden feature in keeping with the property and the residence. Mr. Critchfield noted the proposed wall is 9 feet tall and will have several large openings to make it visually attractive to both property owners.

There being no one further wishing to speak, Mr. Walch closed the public comment portion of the public hearing.

Ms. Forshaw noted that a 9 feet is tall for a wall between two properties and expressed concern allowing the variance may create a precedent for similar, less attractive, structures between properties.

Ms. Toft asked if the wall could be relocated to comply with the accessory structure setback of 50 feet. Mr. Critchfield responded that repositioning the wall was not an option due to the location of the existing garden.

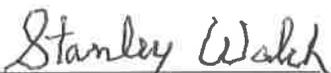
Ms. Toft commented that the wall was not necessary for the intended use of the property.

Mr. Schlafly noted the wall was very attractive and similar to ornamental garden features found throughout the City.

Ms. Fortshaw suggested the architect visit the issue with the client to see if the wall height could be reduced to comply with the City's fence ordinance.

Mr. Critchfield requested a continuance to consider alternative designs with his client.

Ms. Toft moved to grant a continuance to the October meeting. Mr. Schlafly seconded the motion and the motion was unanimously approved.


Mr. Stanley Walch, Chairman