

DOCKET 1161

DATE OF HEARING	June 2, 2014
NAME	Michael Christ
DESCRIPTION OF PROPERTY	5 Prado Drive
CAUSE FOR APPEAL	Relief from the decision of the Building Official for a sport court which violates Section IV, A, 4, (c) and V, C, 1, (b) of Zoning Ordinance 1175.
RULING OF THE BOARD	After a discussion of the facts presented, the Board continued consideration to allow time for the client to revise the design and review options with the Building Department.

MINUTES OF MEETING  
ZONING BOARD OF ADJUSTMENT  
Monday, June 2, 2014

DOCKET 1161  
5 Prado Dr.

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

The following members of the board were present:

Ms. Robbye Toft, Vice-Chair  
Mr. David Schlafly  
Ms. Elizabeth Panke  
Ms. Laura Long

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

Vice-Chair Toft 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 1161**

Notice is hereby given that the Zoning Board of Adjustment of the City of Ladue, St. Louis County, Missouri, will hold a public hearing on a petition submitted by Michael Christ, 5 Prado Dr., St. Louis, MO 63124, requesting relief from the ruling of the Building Official who declined to issue a permit for a sport court which violates Sections IV, A, 4 (c) and V, C, 1, (b), of Zoning Ordinance 1175.

The hearing will be held at 4:00 p.m. on Monday, June 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

Ms. Toft 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 May 12, 2014;  
Exhibit D – List of Residents sent notice of meeting;  
Exhibit E – Letter from the resident requesting the variance dated May 8, 2014, and any letters of support.  
Exhibit F – Entire file relating to the application;

Mr. Gartenberg explained that the proposed replacement 8' tall backstop is located in the required front yard in violation of Zoning Ordinance 1175.

Mrs. Christ stated the sport court has been located in the front yard of the property for over twenty years and that the project was to overlay the existing court and replace the backstop which had been in disrepair.

Mrs. Karen Barker, neighbor, expressed support for the replacement backstop and stated the backstop is only visible from the Christ's property since the street side is heavily landscaped.

Mrs. Katherine Byer, stated the sport court is an asset to the neighborhood and should be allowed to remain. Mrs. Byer noted without the backstop the street could pose a danger to children using the court.

Mrs. Barbara Pulos commented that the sport court is used by many of the children in the neighborhood and expressed her support for the court.

Ms. Lindsay Catsavis expressed her support of the variance request to update the sports court.

Ms. Elena Pulos stated many children in the neighborhood use the court and it provides a better option than walking or driving to a local school.

Mr. Colten Schalk commented that the backstop is essential to use of the court and protects children from vehicles driving down the street.

Mr. Conner Spritas expressed his support for the variance request.

Ms. Ashley Byer commented that the Board should approve the variance to maintain the existing court.

Mr. Bret Martin stated he supports the variance request.

Mr. Daniel Rode expressed his support for the court and the proposed improvements.

Vice-Chair Toft moved to close the public comment portion of the meeting. Mr. Schlafly seconded the motion and it passed unanimously.

Ms. Panke noted the backstop was located in the required front yard and was eight feet in height. Once it was removed by the resident, the condition is considered compliant by the City and would require a permit in order to be constructed.

Ms. Long noted the City would consider the application the same as though the wall had never existed prior to receiving the application.

Mr. Schlafly noted the City would create a precedent of allowing backstops or similar walls in the required front yards.

Mrs. Christ requested the Board consider a continuance to allow time to review the matter with the Building Department staff to consider alternative options which may not require a variance.

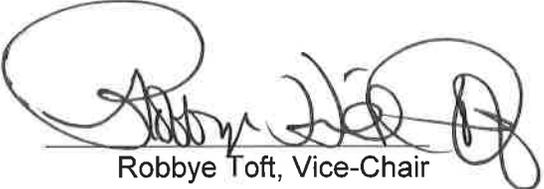
Ms. Toft moved to table consideration of the variance to allow Mrs. Christ time to confer with the Building Department and review other options.

The motion was seconded by Ms. Long.

The vote on the motion was follows:

Ms. Robbye Toft	"Aye"
Mr. David Schlafly	"Aye"
Ms. Elizabeth Panke	"Aye"
Ms. Laura Long	"Aye"

Ms. Toft declared the matter continued pending further revisions from the project architect.



Robbye Toft, Vice-Chair