

DOCKET 1135

DATE OF HEARING	March 4, 2013
NAME	Keith Kitsis
DESCRIPTION OF PROPERTY	3 Ladue Lane
CAUSE FOR APPEAL	Relief from the decision of the Building Official for an addition, which violates Sections V, C, 1(a) & (b) of Zoning Ordinance 1175.
RULING OF THE BOARD	After a discussion of the facts presented, the Board reversed the decision of the Building Official based on an unnecessary hardship and approved the variance per the site plan dated February 3, 2013, with the condition that evergreens be planted for screening that are higher than the fireplace.

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Monday, May 6, 2013

DOCKET 1139
3 Ladue Lane

A meeting of the Zoning Board of Adjustment was held at 4:00 PM on Monday, May 6, 2013, at City Hall.

The following members of the board were present:

Mr. Stanley Walch, Chairman
Ms. Elizabeth Panke
Ms. Liza Forshaw
Mr. Fred Goebel
Mr. John Schillington

Also present were: Mayor Nancy Spewak; Mr. John Maupin, City Attorney; Mr. Michael Gartenberg, Building Official; and Mr. James Schmieder, Building Department.

**NOTICE OF PUBLIC HEARING
ZONING BOARD OF ADJUSTMENT
CITY OF LADUE, MISSOURI
DOCKET NUMBER 1139**

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 Keith Kitsis, 3 Ladue Lane, St. Louis, MO 63124, requesting relief from the ruling of the Building Official who declined to issue a permit for a garage remodel which violates Section V, C, 1 (a) & (b) of Ordinance 1175.

The hearing will be held at 4:00 p.m. on Monday, May 6, 2013, 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

Chairman Walch called the meeting to order.

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 April 8, 2013;
Exhibit D – List of Residents sent notice of meeting;
Exhibit E – Letter from the applicant requesting the variance dated April 10, 2013, and any letters of support;

Exhibit F – Entire file relating to the application;

Mr. Gartenberg explained that the proposed remodel of the existing garage structure increased the degree of non-conformity of the City's existing non-conforming structure regulation as required by Zoning Ordinance 1175.

Mrs. Gail Kitsis explained the existing garage roof is a flat roof and beyond repair. Mrs. Kitsis indicated the proposed addition to the garage is to make the garage similar to the architectural character of the existing residence.

Mr. Walch asked if a variance would be required to repair the existing flat roof on the garage. Mr. Gartenberg confirmed a variance would not be required.

Mr. Shillington asked why a variance was required to add on to the existing non-conforming structure if the building footprint was the same. Mr. Gartenberg stated the degree of non-conformity is not limited to the building footprint but the overall mass of the structure; by adding the second story the degree of non-conformity is being increased.

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

Mr. Shillington stated the increased volume was worth eliminating the flat roof and making the garage consistent with the architectural style of the residence.

Mr. Walch noted a clear case of hardship based on the size of the lot and required setbacks.

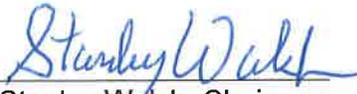
Ms. Forshaw moved that on the basis of the evidence presented, practical difficulties exist and the decision of the Building Official is reversed, and a variance granted based on the site plan dated February 20, 2013.

The motion was seconded by Mr. Schillington.

The vote on the motion was follows:

Mr. Walch	"Aye"
Ms. Panke	"Aye"
Ms. Forshaw	"Aye"
Mr. Goebel	"Aye"
Mr. Schillington	"Aye"

Mr. Walch declared the request for a variance granted and the decision of the Building Official reversed.


Stanley Walch, Chairman