

DATE OF HEARING	October 7, 2013
NAME	Tim Baker
DESCRIPTION OF PROPERTY	4 Burroughs 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 a practical difficulty and approved the variance per the site plan dated September 12, 2013.

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Monday, October 7, 2013

DOCKET 1147
4 Burroughs Lane

A meeting of the Zoning Board of Adjustment was held at 4:00 PM on Monday, October 7, 2013, at City Hall.

The following members of the board were present:

Ms. Robbye Toft, Vice-Chair
Ms. Liza Forshaw
Ms. Laura Long
Mr. David Schlafly
Mr. John Shillington

Also present were: Mayor Nancy Spewak; Mr. James Schmieder, Building Department & Code Enforcement; and Mr. Michael Gartenberg, Building Official.

NOTICE OF PUBLIC HEARING
ZONING BOARD OF ADJUSTMENT
CITY OF LADUE, MISSOURI
DOCKET NUMBER 1146

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 Tim Baker, 4 Burroughs Lane St. Louis, MO 63124, requesting relief from the ruling of the Building Official who declined to issue a permit for an addition which violates Sections V, C, 1, (a) & (b) of Zoning Ordinance 1175.

The hearing will be held at 4:00 p.m. on Monday, October 7, 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

Vice-Chair Toft called the meeting to order at 4:00 PM.

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 September 12, 2013;
Exhibit D – List of Residents sent notice of meeting;
Exhibit E – Letter from the resident requesting the variance dated September 12, 2013, and any letters of support.
Exhibit F – Entire file relating to the application;

Mr. Gartenberg explained that the proposed addition encroaches into the side setback in violation of Zoning Ordinance 1175.

Mr. Gregory Cuddihee, architect, addressed the Board. He stated that the existing lot is undersized for a lot in the "C" district. He added that the proposed addition would be situated behind the existing residence and would be no closer to the side property line or taller than the existing home. Mr. Cuddihee noted he attempted to design the addition to comply with the City's zoning regulations however the existing floor plan of the residence caused the addition to encroach on the side yard setback.

Mr. Schlafly asked if the architect considered placing the addition on the other side of the residence to comply with the City's ordinance. Mr. Cuddihee confirmed they reviewed that option, however the floor plan did not work.

Ms. Toft noted there was no window or architectural relief on the side elevation of the proposed addition. Mr. Cuddihee stated a window could be added to help provide some relief to the elevation.

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

It was noted by members of the Board that similar applications have been considered in the past.

Mr. Schlafly noted the existing encroachment of the setback by the existing residence and that the proposed addition was less of an encroachment than the existing home.

Ms. Forshaw commented that the width of the existing lot presented a hardship.

Ms. Toft moved that on the basis of the evidence presented a practical difficulty exists and the decision of the Building Official is reversed with the condition that a window be added to break up the uninterrupted mass on the proposed addition, and a variance granted based on the site plan dated September 12, 2013.

The motion was seconded by Ms. Forshaw.

The vote on the motion was follows:

Ms. Toft	"Aye"
Ms. Forshaw	"Aye"
Mr. Schlafly	"Aye"
Mr. Shillington	"Aye"
Ms. Long	"Aye"

Ms. Toft declared the request for a variance granted and the decision of the Building Official reversed.



Robbye Toft, Vice-Chair