

DOCKET 1155

DATE OF HEARING	March 3, 2014
NAME	Kim Carney
DESCRIPTION OF PROPERTY	8433 Colonial Lane
CAUSE FOR APPEAL	Relief from the decision of the Building Official for an addition which violates Section V, C, 1, (a) & (b) of Zoning Ordinance 1175.
RULING OF THE BOARD	After a discussion of the facts presented, the Board continued the case pending further revisions from the project architect.

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Monday, March 3, 2014

DOCKET 1155
8433 Colonial Lane

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Monday, March 3, 2014, at City Hall.

The following members of the board were present:

Mr. Stanley Walch, Chair
Ms. Robbye Toft, Vice-Chair
Ms. Liza Forshaw
Mr. David Schlafly
Mr. Fred Goebel

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

Chairman 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 1155**

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 Kim Carney, 8433 Colonial Lane, St. Louis, MO 63124, requesting relief from the ruling of the Building Official who declined to issue a permit for a pool which violates Sections IV, A, 4, (b) of Zoning Ordinance 1175.

The hearing will be held at 4:00 p.m. on Monday, March 3, 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

Chairman 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 February 7, 2014;
Exhibit D – List of Residents sent notice of meeting;
Exhibit E – Letter from the resident requesting the variance received February 7, 2014, and any letters of support.

Exhibit F – Entire file relating to the application;

Mr. Gartenberg explained that the proposed rear yard coverage exceeds the maximum allowed by zoning. Mr. Gartenberg noted the maximum allowed accessory structure coverage of the rear yard is 30% while the proposed pool and patio area covers 54%.

Ms. Kim Carney, stated the proposed pool and patio area was the smallest design possible. Ms. Carney explained the proposed pool was 417 square feet, the proposed pool deck would be 700 square feet. Ms. Carney added that her property backs to Clayton High School and that any additional runoff from her property could be handled by the existing stormwater management system which is directly behind her property.

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

Ms. Toft noted there was no precedent of a variance for a swimming pool and stated that you can use a property as a single family residence without a swimming pool.

Ms. Toft explained the variance of 24% additional coverage appeared excessive and suggested the design of the pool and deck area be revisited to consider other options which either comply with the City's ordinances or require a minimum variance.

Mr. Schlafly suggested the applicant consider alternative designs and request a continuance of her variance hearing in the event she should still need a variance after visiting with her project architect.

Ms. Carney requested additional time to review alternative designs with her architect and the City staff.

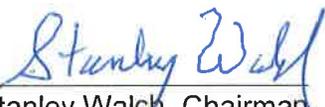
Ms. Toft moved to table consideration of the variance.

The motion was seconded by Mr. Schlafly.

The vote on the motion was follows:

Mr. Stanley Walch, Chair	"Aye"
Ms. Robbye Toft, Vice-Chair	"Aye"
Ms. Liza Forshaw	"Aye"
Mr. David Schlafly	"Aye"
Mr. Fred Goebel	"Aye"

Mr. Walch declared the matter continued pending further revisions from the project architect.


Stanley Walch, Chairman