

DOCKET 1156

DATE OF HEARING	April 7, 2014
NAME	Kevin Goffstein
DESCRIPTION OF PROPERTY	10B Fair Oaks
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 reversed the decision of the Building Official and granted the variance based on the site plan dated January 3, 2014.

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Monday, April 7, 2014

DOCKET 1156
10B Fair Oaks

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Monday, April 7, 2014, at City Hall.

The following members of the board were present:

Ms. Robbye Toft, Vice-Chair
Ms. Liza Forshaw
Ms. Elizabeth Panke
Mr. Fred Goebel
Mr. John Shillington

Also present were: Mr. Michael Wooldridge, Asst. to the Mayor / City Clerk; Mr. Michael Gartenberg, Building Official.

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 1156**

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 Kevin Goffstein, 10B Fair Oaks, 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, A, (1) and V, A, (7), of Zoning Ordinance 1175.

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

Vice-Chair 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 March 17, 2014;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated March 17, 2014, and any letters of support.
- Exhibit F – Entire file relating to the application;

Mr. Gartenberg explained that the proposed addition increases the degree of non-conformity of the 2 ½ story limitation in violation of Zoning Ordinance 1175.

The applicant, Kevin Goffstein, presented letters of support from the residents at 11 Fair Oaks and 78 Fair Oaks which were marked as Exhibit G.

Mr. Goffstein stated the design of the house is not functional and the interior layout needs to be changed. He explained that the lower level garage will be changed to a three car configuration and the appearance of the house would be softened. Mr. Goffstein noted the house is not functional creating a hardship.

Mr. Goffstein advised only one neighbor will see the change to the 2 ½ story configuration. Architectural Review Board approval was obtained.

Ms. Toft asked inquired about the height of the first floor level. Mr. Goffstein stated it was twelve feet.

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

Mr. Shillington stated he thought the denial was based on a technical interpretation of the zoning ordinance.

Ms. Forshaw and Ms. Panke commented the addition prevents a massive appearing façade and is not overbuilding of the structure.

Mr. Goebel noted that the slope of property makes conformance to the 2 ½ rule difficult, especially for a house built in 1949.

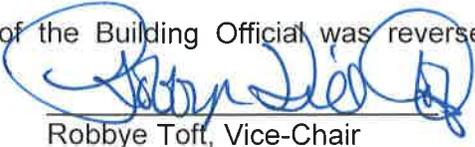
Ms. Forshaw moved that based on the evidence presented practical difficulties exist and the decision of the Building Official is reversed and a variance granted based on the site plan dated January 3, 2014.

The motion was seconded by Mr. Shillington.

The vote on the motion was follows:

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| Ms. Robbye Toft, Vice-Chair | "Aye" |
| Ms. Liza Forshaw | "Aye" |
| Ms. Elizabeth Panke | "Aye" |
| Mr. Fred Goebel | "Aye" |
| Mr. John Shillington | "Aye" |

Vice-Chair Toft declared the decision of the Building Official was reversed and the variance granted.



Robbye Toft, Vice-Chair