

DOCKET 1185

DATE OF HEARING	December 7, 2015
NAME	Mr. & Mrs. Gian & Kate Musarra
DESCRIPTION OF PROPERTY	3 Valley View
CAUSE FOR APPEAL	Relief from the decision of the Building Official denying a building permit for proposed deck to be constructed in a rear yard of the property which violates Section V, C, (1),(a) and V, C, (1),(b) of Zoning Ordinance #1175 which states that every part of the required yard shall be open from its lowest point to the sky unobstructed
RULING OF THE BOARD	After a discussion of the facts presented, the Board granted a continuance so that the applicant could modify their design to reduce the impact to the rear yard setback.

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Monday, December 7, 2015

DOCKET 1185
3 Valley View

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Monday, December 7, 2015, at City Hall.

The following members of the board were present:

Mr. Stanley Walch, Chairman
Ms. Liza Forshaw
Mr. David Schlafly
Ms. Elizabeth Panke
Mr. Daniel Welsh

Also present were: Mr. William Penney, Building Official; Ms. Anne Lamitola, Director of Public Works; Mayor Nancy Spewak, Ms. Erin Seele, City Attorney

Mr. 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 1185**

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 Gian & Kate Musarra, 3 Valley View, requesting relief from the ruling of the Building Official denying a building permit for a proposed deck to be constructed in a rear yard of the property which violates Section V, C, (1),(a) and V, C, (1),(b) of Zoning Ordinance #1175 which states that every part of the required yard shall be open from its lowest point to the sky unobstructed

The hearing will be held at 4:00 p.m. on Monday, December 7 2015, 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

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 October 22, 2015;
Exhibit D – List of Residents sent notice of meeting;
Exhibit E – Letter from the resident requesting the variance date November 5, 2015
Exhibit F – Entire file relating to the application

(Transcript attached as part of the minutes)

The court reported administered the oath to Mr. Mark Regna, Whalen Custom Homes, the contractor and Mr. Gian Musarra, property owner. Mr. Regna explained the layout of the proposed deck and described the property. He explained that the deck is necessary for safe egress for the occupants of the home in the event of an emergency such as a fire.

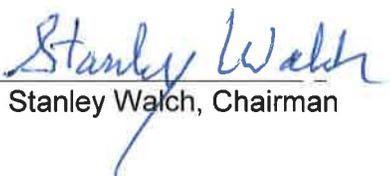
Ms. Forshaw asked if a landing and stairs could be constructed within the requires setbacks. A discussion ensued with regard to placement of a stoop.

Mr. Israel, 3 Valley View, stated that he is a neighbor and trustee who lives next to the subject property. He indicated he has no objections to the proposed deck.

Mr. Walch asked the applicant what hardship exists on the property and Mr. Regna reiterated that the hardship is for emergency egress.

The Public Hearing was closed. The members discussed what options exist on the property for alternate deck locations that comply with setbacks.

The applicant requested a continuance and it was granted by Chairman Walch.


Mr. Stanley Walch, Chairman