

DOCKET 1186

DATE OF HEARING	December 7, 2015
NAME	Mr. & Mrs. Justin Bishop
DESCRIPTION OF PROPERTY	11 Maryhill
CAUSE FOR APPEAL	Relief from the decision of the Building Official denying an amended building permit for proposed front porch to be constructed in a front 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 approved the variance for the proposed covered front porch due to the existence of practical difficulties and the decision of the Building Official is reversed.

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

DOCKET 1186
11 Maryhill

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 1186**

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 Mr. & Mrs. Justin Bishop, 11 Maryhill, requesting relief from the ruling of the Building Official denying a an amended building permit for a front porch to be constructed in a front 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 12, 2015;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated October 12, 2015
- Exhibit F – Entire file relating to the application

(Transcript attached as part of the minutes)

The court reported administered the oath to Mr. Jay Sparks, architect of record with Sparks Design, Inc. and to Mrs. Bishop, homeowner of 11 Maryhill. Mr. Sparks explained the project which consists of a new home, constructed in part on the existing foundation structure. Mr. Sparks stated that the front elevation of the home is near the front yard setback line and that a front porch is desirable, both to the property owner and the trustees of the subdivision.

Mrs. Bishop explained that the City of Ladue issued the permit for the new home with the front porch identified as Phase II work. It was noted that the front porch roof has been constructed and is currently being supported with temporary framing.

Mr. Joe McGauley, 12 Maryhill, stated that he lives next door and stated that the porch already exists. The Commission asked him if he is in favor of the porch and he stated that he is, but stressed that the timeframe for the project has been very lengthy.

Mrs. Carla Marshall, 16 Maryhill, stated that she is a trustee of the subdivision and requested that the Commission approve the variance, but also stated that the construction process has been lengthy and difficult at times.

The Public Hearing was closed.

Mr. Schlafly moved that based on the evidence presented, there are practical difficulties that exist and the decision of the Building Official will be reversed, and a variance should be granted to construct the improvements as proposed in accordance with the submitted site plan dated October 12, 2015. Ms. Forshaw seconded the motion. Mr. Walch called for a vote and the vote thereupon was as follows:

Mr. Stanley Walch	"Aye"
Ms. Liza Forshaw	"Aye"
Mr. David Schlafly	"Aye"
Ms. Elizabeth Panke	"Aye"
Mr. Daniel Welsh	"Aye"


Mr. Stanley Walch, Chairman