

DOCKET 1173

DATE OF HEARING	September 14, 2015 (continued from May 4, 2015)
NAME	Mr. David Dempsey
DESCRIPTION OF PROPERTY	1257 Log Cabin Lane
CAUSE FOR APPEAL	Relief from the decision of the Building Official for an addition which violates Section IV, A, 4 (c) and V, C, 1 (b) of Zoning Ordinance 1175.
RULING OF THE BOARD	After a discussion of the facts presented, the Board approved the variance for the proposed pool improvements located in a front yard due to the existence of a hardship and the decision of the Building Official is reversed.

MINUTES OF MEETING  
ZONING BOARD OF ADJUSTMENT  
Monday, September 14, 2015

DOCKET 1173  
1257 Log Cabin Lane

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Monday, September 14, 2015, at City Hall.

The following members of the board were present:

Mr. Stanley Walch, Chairman  
Ms. Robbye Toft, Vice-Chairman  
Mr. David Schlafly  
Ms. Liza Forshaw  
Ms. Elizabeth Panke  
Ms. Laura Long

Also present were: Mr. Michael Gartenberg & Mr. William Penney, Building Officials; Ms. Anne Lamitola, Director of Public Works; Mayor Nancy Spewak

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 1173  
(CONTINUED)**

Notice is hereby given that the Zoning Board of Adjustment of the City of Ladue, St. Louis County, Missouri, will hold a CONTINUED public hearing on a petition submitted by David Dempsey, 1257 Log Cabin Lane, St. Louis, MO 63124, requesting relief from the ruling of the Building Official denying a building permit for a pool and pool house which violates Sections IV, A, 4, (c) & V, C, 1, (b) of Zoning Ordinance 1175.

The hearing will be held at 4:00 p.m. on Monday, September 14, 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 March 5, 2015;

- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated April 8, 2015, and all letters from neighbors submitted to file;
- Exhibit F – Entire file relating to the application.

Board members asked Mr. Gartenberg to provide a synopsis of the request. Mr. Gartenberg stated that the property has two frontages and an accessory structure, such as the pool, cannot be located in an actual front yard, which is what is being proposed on Log Cabin Drive.

Mr. David Dempsey, property owner of 1257 Log Cabin Lane, was sworn in. He explained that the project has been scaled back in square footage. He stated that the proposed improvements are more than 300 feet away from Log Cabin Lane. He emphasized the unusual lot configuration and two frontages produce a hardship on his property.

No one came forward to speak during the public hearing.

Commissioner Forshaw stated that the lot does have an unusual lot configuration.

Commissioner Toft noted other pools in the immediate vicinity of the subject property. She stated that the project has been scaled back.

Commissioner Forshaw moved that based on the evidence presented, a hardship exists and the decision of the Building Official be reversed, and a variance granted based on the site plan dated August 3, 2015. Mr. Schlafly seconded the motion and the vote thereupon was as follows:

Mr. Stanley Walch	"Aye"
Ms. Robbye Toft	"Aye"
Ms. Liza Forshaw	"Aye"
Mr. David Schlafly	"Aye"
Ms. Laura Gerdes Long	"Aye"
Ms. Elizabeth Panke	"Aye"

  
Mr. Stanley Walch, Chairman