

DOCKET 1176

DATE OF HEARING	June 1, 2015
NAME	Dr. & Mrs. Jacob & Sharon Klein
DESCRIPTION OF PROPERTY	10033 Conway Road
CAUSE FOR APPEAL	Relief from the decision of the Building Official for a garage which violates Section V, C, 1 (a) 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 garage due to the existence of a hardship and the decision of the Building Official is reversed. There were two conditions stipulated for the variance: 1) the pool equipment must be relocated to comply with the side yard setback, and 2) that evergreens be planted between the garage and the western property line.

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Monday, June 1, 2015

DOCKET 1176
10033 Conway Road

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Monday, June 1, 2015, at City Hall.

The following members of the board were present:

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

Also present were: Mr. Michael Gartenberg, Building Official; 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 1176**

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 Jacob and Sharon Klein, 10033 Conway Road, St. Louis, MO 63124, requesting relief from the ruling of the Building Official denying a building permit for an accessory building which violates Sections V, C, 1, (a) & V, C, 1, (b) of Zoning Ordinance 1175.

The hearing will be held at 4:00 p.m. on Monday, June 1, 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 April 30, 2015;
Exhibit D – List of Residents sent notice of meeting;
Exhibit E – Letter from the resident requesting the variance date May 4, 2015
and a

Exhibit F – Entire file relating to the application

The court reported administered the oath to Dr. Jacob Klein, property owner of 10033 Conway Road. Dr. Klein explained the layout of his property, including the location of the creek, existing improvements, and the proposed garage. He stated that Metropolitan St. Louis Sewer District has visited the property at the request of Dr. & Mrs. Klein and recommended relocation of the garage to the west side of the property as proposed. The existing garage will be removed and vegetation will be planted in its place. Dr. Klein also noted that the property owner to the west has requested a vegetative buffer and that they were willing to install plantings in the area between the garage and the western property line.

Ms. Toft asked where the pool equipment will be relocated to and Dr. Klein stated that it will be moved east of the pool.

Mr. Walch asked how after the property floods. Dr. Klein stated that it has flooded on multiple occasions.

Mr. Miller, property owner of 10039 Conway Road, asked for conditions on the variance, specifically that there be landscape screening between the garage and the western property line, that the generator and pool equipment be relocated east of the required setback line, and these conditions be binding with the property.

The members of the commission discussed the request and stated that a true hardship is present on this property, that the proposed garage will not be visible from Conway Road, and that the garage is fairly small.

Ms. Toft 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 April 30, with the following conditions; 1) the pool equipment must be relocated to comply with the side yard setback, and 2) that evergreens be planted between the garage and the western property line.

Ms. Long seconded the motion and the vote thereupon was as follows:

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


Mr. Stanley Walch, Chairman