

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Monday, June 6, 2016

DOCKET 1203

14 S. Tealbrook

A meeting of the Zoning Board of Adjustment was held at 3:00 p.m. on Monday, June 6, 2016, at City Hall.

The following members of the board were present:

Mr. Stanley Walch
Mr. David Schlafly
Ms. Elizabeth Panke
Mr. Daniel Welsh
Mr. Lee Rottmann

Also present were: Mr. William Penney, Building Official; Ms. Anne Lamitola, Director of Public Works; Ms. Andrea Sukanek, City Planning Consultant, and Ms. Erin Seele, City Attorney. Councilman John Fox and Mayor Nancy Spewak were also in attendance.

Mr. Walch called the meeting to order at 3:00 PM.

Notice of Public Hearing, as follows:

**NOTICE OF PUBLIC HEARING
ZONING BOARD OF ADJUSTMENT
CITY OF LADUE, MISSOURI
DOCKET NUMBER 1203**

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. Hogan, 14 S. Tealbrook, requesting relief from the ruling of the Building Official denying a building permit for an addition which would result in an encroachment into the front yard setback of the property which for zoning district 'C' is 50 feet. This encroachment is prohibited by sections V-C-1(a) and V-C-1(b) of Zoning Ordinance #1175

The hearing will be held at 3:00 p.m. on Monday, June 6, 2016, 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 asked Building Official Will Penney for an explanation with regard to the denial of the permit for the front porch addition. Mr. Penney explained that the applicant is remodeling the home and is proposing an addition which would result in an encroachment into the required front yard setback of the property which for zoning district 'C' is 50 feet. The proposed encroachment is three feet into the front yard setback.

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 26, 2016;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated May 4, 2016
- Exhibit F - Entire file relating to the application

The court reporter administered the oath to Ms. Villacis, architect for 14. S. Tealbrook. Ms. Villacis stated that the properties are wide, but that the proposed three foot encroachment will be minor, and that her client desires to update the home. The proposed chimney was discussed as to whether or not it will encroach into the front yard setback. Ms. Villacis stated that the hardship is that all of the homes were constructed on the front yard setback and that her client desires for the foyer to be larger. Ms. Villacis stated that a nine foot wide foyer is far more desirable than a six foot wide foyer for entertaining guests.

The public comment portion of the meeting was closed.

Commission discussion began.

Mr. Schlafly commended the applicant for wanting to make improvements to house in an effort to maintain the existing housing stock in the neighborhood. Mr. Schlafly stated that typically front yard setbacks are typically granted to allow for covered front porches, but in this case, the addition will be enclosed.

Ms. Panke stated that the proposed improvements will add an attractive addition to the home and understands their request.

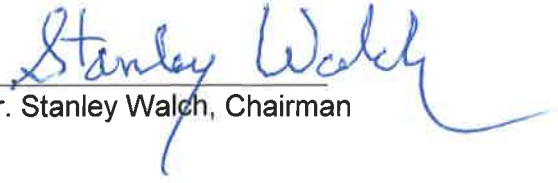
Mr. Welsh stated that he has not heard any evidence of a hardship.

Mr. Rottmann stated that he has not heard evidence of a hardship.

Chairman Walch called for a vote on the variance request for a three foot encroachment into the front yard setback to allow for the construction of an enclosed front porch.

Mr. Chairman Walch	“deny”
Mr. David Schlafly	“deny”
Ms. Elizabeth Panke	“approve”
Mr. Daniel Welsh	“deny”
Mr. Lee Rottmann	“approve”

There were three (3) votes to deny and two (2) votes to approve and therefore the variance was not granted.

A handwritten signature in blue ink that reads "Stanley Walsh". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Mr. Stanley Walsh, Chairman

DOCKET 1203

DATE OF HEARING	June 6, 2016
NAME	Mr. & Mrs. Carl Hogan
DESCRIPTION OF PROPERTY	14. S. Tealbrook Drive
CAUSE FOR APPEAL	Relief from the ruling of the Building Official denying a building permit for an addition which would result in an encroachment into the front yard setback of the property which for zoning district 'C' is 50 feet. This encroachment is prohibited by sections 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 denied the variance for the front porch addition located within the required front yard setback and the decision of the Building Official was upheld.