

**MINUTES OF MEETING  
ZONING BOARD OF ADJUSTMENT  
JULY 7, 2020 4:00 P.M.**

DOCKET 1301

15 APPLE TREE LANE

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, July 7, 2020  
**DUE TO THE CURRENT RESTRICTIONS ORDERED BY ST. LOUIS COUNTY ON PUBLIC  
GATHERINGS DUE TO COVID-19, THE MEETING WAS CONDUCTED BY VIDEO  
CONFERENCE VIA ZOOM**

The following members of the Board were present:

Chairman Liza Forshaw  
Ms. Kristen Holton  
Ms. Laura Long  
Ms. Elizabeth Panke  
Mr. Lee Rottmann

Also present were Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; Roger Stewart, Building Commissioner; Andrea Sukanek, City Planner; Nancy Spewak, Mayor; and John Fox, Councilman.

Chairman Forshaw called the meeting to order at 4:00 P.M.

**Approval and Adoption of the Agenda and Minutes**

Ms. Long made a motion to adopt the Agenda. Mr. Rottmann seconded the motion. All those present were in favor.

Ms. Long made a motion to adopt the Minutes of the May 5, 2020 meeting. Mr. Rottmann seconded the motion. All those present were in favor.

**Docket 1301**            Petition is submitted by Joseph Blomker for the property located at 15 Apple Tree Lane. Petitioner is requesting relief from the Building Commissioner for denying a swimming pool due to reduction in required green space for the district from 75% down to 71.3%. This is in violation of Zoning Ordinance #1175, Section V-G (1)(2).

Mr. Stewart stated the applicant is requesting an inground pool and associated deck requiring a variance from the required 75% green space to 71.3%.

Chairman Forshaw 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 – Letter of Denial dated May 14, 2020;
- Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance dated May 28, 2020;

Exhibit F – Entire file relating to the application

Exhibit G – Additional letters of support

Joseph Blomker was sworn in and addressed the Board. He has lived in the home for over twenty years. He has a close family member with special needs who requires aqua therapy to promote developmental growth. Due to the pandemic, the regular aqua therapy facility is not available. The topography of the yard dictates the placement of the pool, and the patio and sitting area are necessary for safely monitoring a child swimming.

The closest neighbor and a subdivision trustee have sent letters in support of the variance.

Mr. Stewart determined that the actual green space under the proposal would be 71.7%, slightly more than the 71.3% indicated on the application. This would amount to a 3,224 square foot shortfall in required green space.

The Board discussed the size of the proposed patio and pool and the necessity of a paved patio area as a safety measure; the very large size of the back yard and its privacy and complete screening from neighbors; and the trustee and neighbor support of the variance. A Board member commented that the pool and patio are not disproportionately large for the lot and it would not be possible to reduce the patio sufficiently to comply with the zoning code. Another Board member observed that the grassy lawn and tree barrier are so extensive that the proposed pool and patio would still leave a visual impression of plenty of green space on the lot.

After discussion of the facts presented, Ms. Long made the motion to overturn the decision of the Building Commissioner and grant the variance. Ms. Panke seconded the motion. The vote was as follows:

Chairman Liza Forshaw	"approve"
Ms. Kristen Holton	"approve"
Ms. Laura Long	"approve"
Ms. Elizabeth Panke	"approve"
Mr. Lee Rottmann	"approve"

With five (5) votes in favor and zero (0) against, the motion carried, the ruling of the Building Commissioner was overturned, and a variance was granted.

### **Adjournment**

At 6:13 p.m. Ms. Panke made a motion to Adjourn the meeting. Ms. Long seconded the motion. A unanimous vote in favor was taken.

DOCKET 1301

DATE OF HEARING July 7, 2020

NAME Joseph Blomker

DESCRIPTION OF PROPERTY 15 Appletree Lane

CAUSE FOR APPEAL Petitioner is requesting relief from the Building Commissioner for denying a swimming pool due to reduction in required green space for the district from 75% down to 71.7%. This is in violation of Zoning Ordinance #1175, Section V-G (1)(2).

RULING OF THE BOARD After discussion, on the basis of the evidence presented, the Board finds practical difficulties exist. The decision of the Building Commissioner is overturned, and the variance is granted.



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Ms. Liza Forshaw, Chairman