

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
APRIL 4, 2022 4:00 P.M.**

DOCKET 1361
29 FOREWAY DRIVE

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, April 4, 2022.

The hybrid meeting was held in person and via ZOOM.

The following members of the Board were present:

Chairman Liza Forshaw
Ms. Laura Long
Ms. Elizabeth Panke
Mr. Lee Rottmann
Mr. David Schlafly

Also present were Mayor Nancy Spewak; John Fox, Councilman; Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; Roger Stewart, Building Commissioner; and Lori Mullins, Deputy City Clerk.

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

Approval and Adoption of the Agenda and Minutes

Ms. Forshaw reported that Docket 1360 has been postponed at the request of the applicant and will not be considered until the May meeting. The agenda was amended and adopted unanimously upon motion by Ms. Long and second by Mr. Rottmann.

The minutes of the March 1, 2022, Board meeting were approved unanimously upon motion by Ms. Panke and second by Mr. Rottmann.

Docket 1361 Petition is submitted by Paul Fendler, on behalf of Steve and Ann Desloge, for the property located at 29 Foreway Drive. The petitioner is requesting relief from the Building Commissioner denying a new residence due to required side yard setback. This is in violation of Ladue Zoning Ordinance #1175, Section V-B-1.

Mr. Stewart reported the applicant is requesting a variance to erect a new house in the "B" zoning district, to replace an existing house built in 1942. The required side yard setback is 50'. The proposal encroaches 6' into the side yard setback.

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 February 22, 2022;

Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance dated February 23, 2022;

Exhibit F – Entire file relating to the application

Mr. Paul Fendler and Ms. Desloge took the were sworn in. Mr. Fendler addressed the Board stating that minimum required lot width in the “B” district is 180’. This long, narrow, 2.25-acre lot is non-conforming, irregularly shaped, and tapers from 177’ to 164’. The encroachment is small; it starts at 0’ and increases to 6’ as the yard narrows. There are 50’ setbacks on all sides. In addition, there is a large 150’ subdivision-imposed front yard setback established by adjacent homes. This requires the house to be built toward the rear of the wedge-shaped lot on a very narrow buildable area. The proposal would replace a 2,400 square foot home with a 5,000 square foot home, with a master suite on the first floor which is the room that encroaches on the setback. There are no objections from the neighbors.

Ms. Desloge shared that the existing home has been in her family for 60 years and is in disrepair.

Board discussion included the long, narrow lot, deep setbacks, and the small total encroachment of 170 square feet.

After discussion of the facts presented; Mr. Schlafly made the motion to overturn the decision of the Building Commissioner and grant the variance based on practical difficulty. Ms. Long seconded the motion. The vote was as follows:

Chairman Liza Forshaw	“approve”
Ms. Laura Long	“approve”
Ms. Elizabeth Panke	“approve”
Mr. Lee Rottmann	“approve”
Mr. David Schlafly	“approve”

With five (5) votes in favor and zero (0) against, the motion passed, the ruling of the Building Commissioner is overturned.

Adjournment

The meeting was adjourned upon motion by Mr. Schlafly and second by Mr. Rottmann at 5:33 p.m.

DOCKET 1361


DATE OF HEARING April 4, 2022

NAME Paul Fendler

DESCRIPTION OF PROPERTY 29 Foreway Drive

CAUSE FOR APPEAL Petition is submitted by Paul Fendler, on behalf of Steve and Ann Desloge, for the property located at 29 Foreway Drive. Petition is submitted by Rhoads Hall for the property located at 1300 Litzsinger Woods Lane. The petitioner is requesting relief from the Building Commissioner denying a new residence due to required side yard setback. This is in violation of Ladue Zoning Ordinance #1175, Section V-B-1.

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 granted.


Ms. Liza Forshaw, Chairman