

DOCKET 1172

DATE OF HEARING	April 6, 2015
NAME	Dan & Maureen Twardowski
DESCRIPTION OF PROPERTY	10050 Litzsinger Road
CAUSE FOR APPEAL	Relief from the decision of the Building Official for a fence which violates Section IV, C, 1 (a) and V, C, 1 (l) of Zoning Ordinance 1175.
RULING OF THE BOARD	After a discussion of the facts presented, the Board approved the variance for the fence because of the existence of a practical difficulty and the decision of the Building Official is reversed.

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Monday, April 6, 2015

DOCKET 1172
10050 Litzsinger Road

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Monday, April 6, 2015, at City Hall.

The following members of the board were present:

Ms. Robbye Toft, Acting Chairman
Mr. David Schlafly
Ms. Liza Forshaw
Ms. Elizabeth Panke
Ms. Laura Long

Also present were: Mr. John Maupin, City Attorney; Ms. Anne Lamitola, Director of Public Works; Mr. Michael Gartenberg, Building Official.

Ms. Toft 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 1172**

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 Dan and Maureen Twardowski, 10050 Litzsinger Road, St. Louis, MO 63124, requesting relief from the ruling of the Building Official denying a permit for a fence which violates Section IV, C, 1, (a) & V, C, 1, (l) of Zoning Ordinance 1175.

The hearing will be held at 4:00 p.m. on Monday, April 6, 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

Ms. Toft 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 February 9, 2015;
Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance (March 4, 2015), and any letters of support;
Exhibit F – Entire file relating to the application.

Mr. Gartenberg provided an explanation where the front yard is located on a flag lot per the definitions found in Zoning Ordinance 1175.


Mr. Tegenoff addressed the members of the Zoning Board of Adjustment and explained that the fence is 481 feet from Litzsinger Road and that the property owners desire for the fence to be located at the wood-line. He stated that the fence will connect to existing fences on adjacent properties.

Mr. & Mrs. Twardowski stated that the six foot fence is necessary for their family for personal reasons with their child. They stated that they were contacted by the homeowner of 10046 Litzsinger with some questions. It was noted that there was no one present at the meeting from 10046 Litzsinger.

Mr. Gartenberg and Mr. Maupin read from the Section IX, H, 3 & Section IX, H, 5 from the zoning code with regard to the authority of the Zoning Board of Adjustment with regard to fences.

Ms. Forshaw moved that based on the evidence presented, a practical difficulty exists and the decision of the Building Official is reversed, and a variance granted based on the site plan sealed on February 26, 2015. Ms. Long seconded the motion and the vote thereupon was as follows:

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


Ms. Robbye Toft, Acting Chairman