

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
TUESDAY, APRIL 2, 2019, 4:00PM

DOCKET 1268

10250 Kinsella Lane

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, March 5, 2019 at City Hall.

The following members of the board were present:

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

Also present were: Erin Seele, City Attorney; Anne Lamitola, Director of Public Works; Roger Stewart, Building Commissioner; Lori Wrobel, Administrative Assistant; and Mayor Nancy Spewak.

Chairman Forshaw called the meeting to order at 4:03 PM.

Approval and Adoption of the Agenda

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

Approval of the Minutes from the January 8, 2018 meeting

Mr. Rottmann made a motion to approve the Minutes as submitted. Mr. Schlafly seconded the motion. All those present were in favor; the minutes were approved.

Chairman Forshaw granted a requested continuance to Todd Stanton for Docket 1269 the property located at 7 Ricardo Lane for the May 7th meeting.

Docket 1268 Petition is submitted by Josh and Lydia Bledsoe for the property located at 10250 Kinsella Lane. Petitioner is requesting relief from the Building Commissioner denying a Pool House due to encroachment into the rear yard setback which is in violation of Ladue Zoning Ordinance #1175, Section V-B (2).

Ms. Panke recused herself and moved to the audience. Chairman Forshaw asked the Building Commissioner for an explanation of the denial.

Mr. Stewart stated the setback requirement is 50 feet in the front, side and rear yards. The proposal for the pool house encroaches into the setback by 12'-10".

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 January 24, 2019;

Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance dated February 6, 2019;

Exhibit F – Entire file relating to the application

The appellant John Bledsoe took the oath before addressing the board. The Bledsoes purchased the home in 2014 with the existing pool. The appellant explained they had considered all other options for a pool house. Taking into consideration the shape and slope of the yard and privacy issues they have concluded that this plan is the best option. Their neighbors are in favor of this proposal, as the proposed location of the pool house enhances the privacy of their lot with respect to activity at the Bledsoes' pool. The neighbors' letter referred to the Bledsoes' offer to plant some additional evergreen trees to improve the screening near the lot line.

After discussion of the facts presented, including the large lot size, the relatively minor encroachment into a 50-foot rear yard, the existing vegetation screening the proposed pool house from the neighbor, the disadvantages of an alternate location due to the lot slope and inconvenient distance from the house, the better appearance from the street of the proposed location, and the strong support of the neighbor most affected by the proposed encroachment, Ms. Long made a motion to overturn the decision of the Building Commissioner and grant the variance, conditioned on the Bledsoes' planting additional fast-growing evergreen trees as mentioned in the neighbors' letter of support. Mr. Rottmann seconded the motion. The vote was as follows:

Chairman Liza Forshaw	“approve”
Mr. Lee Rottmann	“approve”
Ms. Laura Long	“approve”
Mr. Dan Welsh	“approve”

With five (4) votes in favor and zero (0) against, the motion passed, the variance was granted, and the ruling of the Building Commissioner was overturned.

Adjournment

At 4:53pm Mr. Rottmann made a motion to Adjourn the meeting. Mr. Welsh seconded the motion. A unanimous vote in favor was taken.

DOCKET 1268

DATE OF HEARING	April 2, 2019
NAME	John Bledsoe
DESCRIPTION OF PROPERTY	10250 Kinsella Lane
CAUSE FOR APPEAL	Petitioner is requesting relief from the Building Commissioner denying a Pool House due to encroachment into the rear yard setback which is in violation of Ladue Zoning Ordinance #1175, Section V-B (2).
RULING OF THE BOARD	After discussion, on the basis of the evidence presented, the Board finds that practical difficulty exists, including lot configuration and steep gradients, and therefore the decision of the Building Commissioner is reversed and the request for variance is granted, conditioned on the planting of some fast-growing evergreen trees to enhance the screening of the pool house from the neighboring property to the rear.

Ms. Liza Forshaw, Chairman