

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
May 5, 2020 4:00 P.M.**

DOCKET 1292

8525 Colonial Lane

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, May 5, 2020
**DUE TO THE CURRENT RESTRICTIONS ORDERED BY ST. LOUIS COUNTY ON PUBLIC GATHERINGS DUE
TO COVID-19, THE MEETING WAS CONDUCTED BY TELECONFERENCE VIA ZOOM**

The following members of the Board were present:

Chairman Liza Forshaw
Mr. David Schlafly
Ms. Laura Long
Ms. Elizabeth Panke
Mr. Dan Welsh
Sub: Mr. Lee Rottmann

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

Mr. Schlafly called the meeting to order at 4:00 P.M. standing in for Chairman Forshaw.

Approval and Adoption of the Agenda and Minutes

Ms. Panke made a motion to adopt the agenda and Minutes of the March 3, 2020 meeting. Mr. Rottmann seconded the motion. All those present were in favor.

Docket 1292 Petition is submitted by Paul Fendler for the property located at 8525 Colonial Lane. Petitioner is requesting relief from the Building Commissioner denying an addition due to encroachment of 20 feet into the front yard setback. This is in violation of Ordinance #1175, Section V-B (1).

Mr. Stewart stated the applicant requests a variance for a corner lot single-story two-car garage and two-story addition encroaching 20 feet into the front 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 March 19, 2020;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated March 29, 2020;
- Exhibit F – Entire file relating to the application
- Exhibit G – Applicant's letters of support

Paul Fendler, architect, was sworn in and addressed the Board. He is requesting a variance due to the challenging lot configuration, the two front yards, and the obsolescence of the home. The home has no garage or family room or mud room and has a very small kitchen. The proposed encroachment is 22 feet into the setback, which is only 10 feet beyond the existing home. The encroachment would be 30 feet from the curb of the street. The property line is 12.5 feet distant from the line of the street, making the 40-foot front yard setback under the ordinance burdensome. A third of the existing house is nonconforming. The additions are designed so that the 2-story portion is at the plane of the existing nonconforming house, and the projection beyond the line of the existing house is only one-story so as to minimize the mass that juts out beyond the existing house. An existing deck and shed will be removed, resulting in a net decrease in impervious coverage. The proposal has A.R.B. and Trustee approval, and 5 letters of support from neighbors. The applicant is unaware of any neighborhood opposition. A garage would enable the applicant to avoid parking on the street. A number of other lots on Colonial Lane have received variances in the past for similar purposes and have additions that lie closer to the street than this proposal.

Chairman Forshaw entered the letters of support to the record as "Exhibit G".

After discussion of the facts presented, including the hardship of no garage, the fact that the lot line is 12.5 feet distant from the line of the physical street thereby making the front yard setback harder to comply with, the obsolescence of the house, and the two front yards, it was determined that practical difficulties exist. 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. Laura Long	"approve"
Ms. Elizabeth Panke	"approve"
Mr. David Schlafly	"approve"
Mr. Dan Welsh	"approve"

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

Adjournment

At 6:29 p.m. Ms. Long made a motion to Adjourn the meeting. Ms. Panke seconded the motion. A unanimous vote in favor was taken.

DOCKET 1292

DATE OF HEARING May 5, 2020

NAME Paul Fender

DESCRIPTION OF PROPERTY 8525 Colonial Lane

CAUSE FOR APPEAL Petitioner is requesting relief from the Building Commissioner denying an addition due to encroachment of 20 feet into the front yard setback. This is in violation of Ordinance #1175, Section V-B (1).

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

Ms. Liza Forshaw, Chairman