

**MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
JUNE 2, 2020 4:00 P.M.**

DOCKET 1296

10082 Litzsinger Road

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, June 2, 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
Ms. Laura Long
Ms. Elizabeth Panke
Mr. Lee Rottmann
Mr. David Schlafly

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

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

Approval and Adoption of the Agenda and Minutes

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

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

Docket 1296 Petition is submitted by Steven Laune for the property located at 10082 Litzsinger Road. Petitioner is requesting relief from the Building Commissioner denying a pickle ball court due to an increase in impervious area resulting in less green space than the minimum required in residential zoning district "A". The minimum green space for this district is 80% and this proposal reduces that to 76%, which is in violation of Ordinance #1175, Section V-G(1).

Mr. Stewart stated the applicant is in the process of building a new home with an inground pool and requests a variance for a pickle ball court to increase the impervious area resulting in less green space than the minimum required which is 80%.

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 5, 2020;
- Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance dated April 29, 2020;

Exhibit F – Entire file relating to the application

Steve Laune, of Cochran, was sworn in and addressed the Board. He is requesting a variance due to a proposed 4% overage of impervious surfaces. Planned stormwater detention exceeds the requirements with detention basins on the northeast and southwest corners of the house. The family wants to exercise at home during the pandemic.

The Board discussed alternatives to a variance such as reducing the size of, or changing the materials in or around, the automobile court, the pool, the patio or the fire pit to include additional pervious materials to meet the requirement. Mr. Laune offered to reduce the overage of impervious surfaces from 4% to 2%.

After discussion of the facts presented, including the new construction of a house with a large amount of impervious surfaces for not only a pickle ball court but also a pool, patio, fire pit and automobile court, and the applicant's ability to modify the design of these surfaces to meet the green space requirement in the ordinance, the Board did not find a practical difficulty. Mr. Schlafly made the motion to overturn the decision of the Building Commissioner and grant the variance. Ms. Long seconded the motion. The vote was as follows:

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

With zero (0) votes in favor and five (5) against, the motion failed, the ruling of the Building Commissioner was upheld, and no variance is was granted.

Adjournment

At 5:23 p.m. Mr. Schlafly made a motion to Adjourn the meeting. Mr. Rottmann seconded the motion. A unanimous vote in favor was taken.

DOCKET 1296

DATE OF HEARING June 5, 2020

NAME Steven Laune

DESCRIPTION OF PROPERTY 10082 Litzsinger Road

CAUSE FOR APPEAL Petitioner is requesting relief from the Building Commissioner denying a pickle ball court due to an increase in impervious area above the minimum required in residential zoning district "A". The minimum green space for this district is 80% and this proposal reduces that to 76%, which is in violation of Ordinance #1175, Section V-G (1).

RULING OF THE BOARD After discussion, on the basis of the evidence presented, the Board finds no practical difficulties exist. The decision of the Building Commissioner is upheld, and no variance is granted.

Ms. Liza Forshaw, Chairman