

**MINUTES OF MEETING  
ZONING BOARD OF ADJUSTMENT  
OCTOBER 6, 2020 4:00 P.M.**

DOCKET1309

10 FORDYCE LANE

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, October 6, 2020.

**DUE TO THE CURRENT RESTRICTIONS ORDERED BY ST. LOUIS COUNTY ON PUBLIC GATHERINGS DUE TO COVID-19, THE MEETING WAS CONDUCTED BY VIDEO CONFERENCE VIA ZOOM**

The following members of the Board were present:

Chairman Liza Forshaw  
Ms. Laura Long  
Ms. Elizabeth Panke  
Mr. Lee Rottmann  
Mr. Dan Welsh

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

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.

Ms. Panke made a motion to adopt the Minutes of the September 1, 2020 meeting. Mr. Rottmann seconded the motion. All those present were in favor.

Docket 1309

Petition submitted by Paul Fendler for the property located at 10 Fordyce Lane. Petitioner is requesting relief from the Building Commissioner denying an addition. Construction of the proposed structure would result in an encroachment into the rear yard setback. This is in violation of Ladue Zoning Ordinance 1175, Section V-B (1).

Mr. Stewart stated the applicant requests a variance to erect a two-story addition at 10 Fordyce in the B residential zone which would encroach into the 50' rear yard setback by 11'9". The existing home encroaches into the 50' rear yard setback by 2 feet. The garage also encroaches into the required 50-foot 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 July 28, 2020;

Exhibit D – List of Residents sent notice of meeting;

Exhibit E – Letter from the resident requesting the variance dated August 1, 2020;

Exhibit F – Entire file relating to the application

Paul Fendler took the oath and addressed the Board, stating that the unique, older home sits in the back corner of a very long and narrow lot. Two variances have been previously granted, in 2014 for the garage (to encroach into the rear yard by 25') and in 2008 for an addition that was not constructed. The currently proposed addition includes a master suite, sitting area, closets, bathroom and an open covered porch. To put the addition in front of the house would be architecturally "horrible."

Mr. Waidmann took the oath and shared that the master closet is only 2' X 10', thus the need for an addition. The existing bathroom is also very small. The addition will not be visible to neighbors, and the porch will fit in the footprint of the existing patio. The lot slopes up in the rear.

Board discussion noted that the house was constructed prior to the zoning requirements and that it is impractical to update the house without a variance.

After discussion of the facts presented, including the small proposed addition which would encroach less than the existing garage, limitations with the topography and the minimal impact on the neighbors, it was determined that practical difficulties exist. Ms. Long made the motion to overturn the decision of the Building Commissioner and grant the variance. Mr. Rottmann 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. 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 was granted.

### **Adjournment**

At 6:48 p.m. Ms. Long made a motion to Adjourn the meeting. Mr. Welsh seconded the motion. A unanimous vote in favor was taken.

DOCKET 1309

DATE OF HEARING October 6, 2020

NAME Paul Fendler

DESCRIPTION OF PROPERTY 10 Fordyce Lane

CAUSE FOR APPEAL Petitioner is requesting relief from the Building Commissioner denying an addition. Construction of the proposed structure would result in an Encroachment into the rear 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 that practical difficulties exist. The decision of the Building Commissioner is overturned, and the variance is granted.

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Ms. Liza Forshaw, Chairman