

DOCKET 1145

DATE OF HEARING	September 3, 2013
NAME	Kenneth Bean
DESCRIPTION OF PROPERTY	7 Nassau Drive
CAUSE FOR APPEAL	Relief from the decision of the Building Official for front porch, which violates Sections V, C, 1(a) & (b) of Zoning Ordinance 1175.
RULING OF THE BOARD	After a discussion of the facts presented, the Board reversed the decision of the Building Official based on a practical difficulty and approved the variance per the site plan dated July 19, 2013.

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Monday, September 3, 2013

DOCKET 1145
7 Nassau Drive

A meeting of the Zoning Board of Adjustment was held at 4:00 PM on Tuesday, September 3, 2013, at City Hall.

The following members of the board were present:

Ms. Robbye Toft, Vice-Chair
Ms. Liza Forshaw
Ms. Laura Long
Mr. Fred Goebel
Mr. John Shillington

Also present were: Mayor Nancy Spewak; Mr. Michael W. Wooldridge Assistant to the Mayor / City Clerk; Mr. Michael Gartenberg, Building Official.

NOTICE OF PUBLIC HEARING
ZONING BOARD OF ADJUSTMENT
CITY OF LADUE, MISSOURI
DOCKET NUMBER 1145

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 Kenneth Bean, 7 Nassau Drive, St. Louis, MO 63124, requesting relief from the ruling of the Building Official who declined to issue a permit for a front porch which violates Sections V, C, 1, (a) & (b) of Zoning Ordinance 1175.

The hearing will be held at 4:00 p.m. on Tuesday, September 3, 2013, 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

Vice-Chair Toft called the meeting to order at 4:00 PM.

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 July 24, 2013;
Exhibit D – List of Residents sent notice of meeting;
Exhibit E – Letter from the resident requesting the variance dated August 2, 2013, and any letters of support (2, 4, and 5 Nassau Drive);
Exhibit F – Entire file relating to the application;

Mr. Gartenberg explained that the proposed porch encroaches into the front setback by 2' in violation of Zoning Ordinance 1175. He further advised that a portion of the house is already in the setback creating a legal non-conforming structure.

Mr. Kenneth Bean, 7 Nassau Drive, addressed the Board. He stated that the covered porch was needed to provide protection for the front door and guests entering the residence. Mr. Bean noted that only one corner of the porch is placed into the setback.

Mr. Peter Krombach, 2 Nassau Drive, and Ms. Anne Lohse, 3 Nassau Dr., spoke in favor of the project and encouraged approval of the request.

There being no one further wishing to speak, Ms. Toft closed the public comment portion of the public hearing.

It was noted by members of the Board that similar applications have been considered in the past.

Ms. Forshaw noted the small encroachment of the setback.

Ms. Forshaw moved that on the basis of 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 dated July 19, 2013.

The motion was seconded by Ms. Long.

The vote on the motion was follows:

Ms. Toft	"Aye"
Ms. Forshaw	"Aye"
Mr. Goebel	"Aye"
Mr. Shillington	"Aye"
Ms. Long	"Aye"

Ms. Toft declared the request for a variance granted and the decision of the Building Official reversed.



Robbye Toft, Vice-Chair