

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
TUESDAY, MARCH 5, 2019, 4:00PM

DOCKET 1267

33 Narragansett Drive

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. Dan Welsh

Mr. Lee Rottmann

Ms. Elizabeth Panke

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

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

Approval and Adoption of the Agenda

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

Approval of the Minutes from the January 8, 2018 meeting

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

Docket 1267 Petition is submitted by John Stevenson for the property located at 33 Narragansett Drive. Petitioner is requesting relief from the Building Commissioner denying a fence due to a required finish side of stockade style or similar fence to face out and supporting members be on the inside. This is in violation of Ladue Zoning Ordinance #1175, Section IV-C (10). Petitioner requesting relief from Building Commissioner denying a fence due to required openness of 40% on a fence between 36" and 42" tall. Ladue Zoning Ordinance #1175, Section IV-C (1).

Petitioner requesting relief from Building Commissioner denying a fence due to exceeding allowable height in front yard from 36" to 42" which is in violation of Ladue Zoning Ordinance #1175, Section IV-C (1).

Chairman Forshaw asked the Building Commissioner for an explanation of the denial.

Mr. Stewart explained that the finished side of the fence is required to face outward as stated in

Section IV C (10). The plans submitted exceed the allowable height of 42" in a front yard as to a portion of the fence, violating Section IV-C (1).

Mr. Stewart added that the ordinance requirement of openness of 40% on a fence between 36" and 42" tall is not applicable as the plan is for a skinny picket and not a stockade fence. Therefore no variance is needed for the openness issue.

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 December 19, 2018;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated January 28, 2019;
- Exhibit F – Entire file relating to the application

The appellant John Stevenson, 33 Narragansett Drive was sworn in and addressed the Board.

The appellant is requesting a variance to replace an existing fence without change to the size or footprint. He has spent 19 years developing an aesthetically pleasing yard. His neighbors do not object to the fence posts facing the outside of the fence, and he would prefer to see the smooth side facing inside. Letters were presented from neighbors expressing no objection to having the posts face their properties.

After discussion of the facts presented and an analysis of whether a hardship exists, Mr. Rottmann made a motion to overturn the decision of the Building Commissioner and grant the variance. Mr. Welsh seconded the motion. The vote was as follows:

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

With zero (0) votes in favor and five (5) against the motion fails, the variance was not granted, and the ruling of the Building Commissioner was upheld.

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 1267

DATE OF HEARING

March 5, 2019

NAME

John Stevenson

DESCRIPTION OF PROPERTY

33 Narragansett Drive

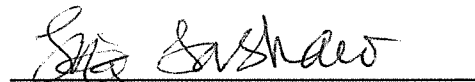
CAUSE FOR APPEAL

Petitioner is requesting relief from the Building Commissioner denying a fence due to a required finish side of stockade style or similar fence to face out and supporting members be on the inside. This is in violation of Ladue Zoning Ordinance #1175, Section IV-C (10).

Petitioner requesting relief from Building Commissioner denying a fence due to exceeding allowable height in front yard from 36" to 42" which is in violation of Ladue Zoning Ordinance #1175, Section IV-C (1).

RULING OF THE BOARD

After a discussion of the facts presented, the Board denied the request. The variance was not granted, and the denial of the Building Commissioner was upheld.

A handwritten signature in black ink, appearing to read "Liza Forshaw", is written over a horizontal line.

Ms. Liza Forshaw, Chairman