

MINUTES OF MEETING  
ZONING BOARD OF ADJUSTMENT  
Monday, March 6, 2017

DOCKET 1220

1 Glenview Road

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Monday, March 6, 2016, at City Hall.

The following members of the board were present:

Mr. Stanley Walch  
Mr. David Schlafly  
Ms. Elizabeth Panke  
Mr. Daniel Welsh  
Ms. Liza Forshaw

Also present were: Mr. William Penney, Building Official; Ms. Anne Lamitola, Director of Public Works; Ms. Ashley Quinn, Building Department Administrative Assistant, and Ms. Erin Seele, City Attorney. Councilman John Fox and Mayor Nancy Spewak were also in attendance.

Mr. Walch called the meeting to order at 4:00 PM.

Notice of Public Hearing, as follows:

**NOTICE OF PUBLIC HEARING  
ZONING BOARD OF ADJUSTMENT  
CITY OF LADUE, MISSOURI  
DOCKET NUMBER 1220**

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 Greg and Marcella Stevens for the property at 1 Glenview Road, requesting relief from the ruling of the Building Official denying a permit for a sport court in the front yard of the property, located in the C Zoning District, per the Ladue Zoning Ordinance #1175, Section IV-A(4)(c).

The hearing will be held at 4:00 p.m. on Monday, March 6, 2017, 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

Mr. Walch asked Building Official Will Penney for an explanation with regard to the denial of the permit. Mr. Penney explained that the applicant is proposing to construct a sports court in front of the front face of the home on the property which constitutes construction of an accessory structure in an actual front yard which is prohibited by the zoning ordinance.

Mr. Walch 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 December 2, 2016;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated December 29, 2016 and revised on February 13, 2017
- Exhibit F – Entire file relating to the application
- Exhibit G – Sports court technical specifications

The court reporter administered the oath to Mr. Critchfield, architect for 1 Glenview Rd. and Mr. Stevens, homeowner of 1 Glenview Rd. Mr. Stevens stated that the placement of the home created a large front yard with little space behind the dwelling. While the sport court would encroach on the front yard, he spoke with three neighbors and there were no issues or concerns with the proposed project. Mr. Critchfield clarified the plantings depicted on the plans and noted that when driving by the court, would not be visible from the street line, only basketball hoops and sport netting that would be taken down when court was not in use.

Mr. Walsh asked for their reasoning for this presenting a practical hardship.

Mr. Critchfield stated that the original home being set far back on the lot created an artificially deep front yard. When combined with the location of the garage, pool and pool house as well as the topography there was little available space for the sport court.

The public comment portion of the meeting was closed.

Commission discussion began.

Mr. Schlafly voiced concerns over setting a precedent for accessory structure in front yards which would be a big problem. Mr. Welch felt that factors mitigating his concerns existed in the fact that the home was at the end of a private lane, there is a large distance between the roadway and the sport court and the fact that the sport court surface would be above street grade and therefore not visible when driving by. Ms. Forshaw agreed with Mr. Welch's comments and stated that with no wall or fencing around the sport court there would be little impact on surrounding neighbors

Mr. Welsh stated that he has a difficult time seeing evidence of a hardship.

Ms. Forshaw made a motion to reverse the denial of the proposed project because of practical difficulties providing the applicant work with city staff on mixed plantings, that may differ from site plan, to screen the sport court.

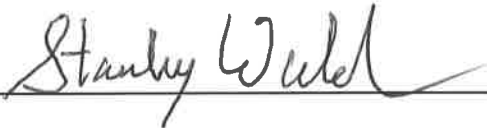
Chairman Walch called for a vote on the variance request for encroachment into the front yard setback to allow for the construction of a sport court.

Mr. Chairman Walch	"deny"
Ms. Liza Forshaw	"approve"
Mr. David Schlafly	"deny"
Ms. Elizabeth Panke	"approve"
Mr. Daniel Welsh	"deny"

There were three (3) votes to deny and two (2) votes to approve and therefore the variance was not granted.

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DATE OF HEARING NAME	March 6, 2017 Greg and Marcella Stevens
DESCRIPTION OF PROPERTY	1 Glenview Road,
CAUSE FOR APPEAL	Relief from the ruling of the Building Official denying a building permit for a sport court in the front yard of the property, located in the C Zoning District, per the Ladue Zoning Ordinance #1175, Section IV-A(4)(c).
RULING OF THE BOARD	After a discussion of the facts presented, the Board denied the variance for a sport court in the front yard of the property, located in the C Zoning District, per the Ladue Zoning Ordinance #1175, Section IV-A(4)(c). and the decision of the Building Official was upheld.



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Mr. Stanley Walch, Chairman