

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

DOCKET 1236

1220 Log Cabin

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Monday, November 6, 2017 at City Hall. The following members of the board were present:

- Vice Chairman Liza Forshaw
- Mr. Dan Welsh
- Ms. Laura Long
- Ms. Elizabeth Panke
- Mr. David Schlafly

Also present were Ms. Andrea Sukanek, City Planner; Ms. Erin Seele, City Attorney; Ms. Ashley Quinn, Administrative Assistant; Mayor, Nancy Spewak; and Councilman, John Fox.

Vice Chairman Forshaw 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 1236**

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 David Farrell for the property at 1220 Log Cabin Lane. Petitioner is requesting relief from the Building Official denying a permit for a generator due to an encroachment into required front yard setbacks and in the *right-of-way for the property which is in violation of Section V B-(2) and Section V-C-(1)(b) of the Ladue Zoning Ordinance 1175.

** Later determined to not be in R.O.W*

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

Vice Chairman Forshaw called for an approval of the agenda. Mr. Schlafly made a motion to approve. Ms. Long seconded the motion. All members voted "aye" and the agenda was approved.

Stanley Walch, Chairman

Zoning Board of Adjustment

Vice Chairman Forshaw asked Ms. Sukanek for an explanation of the denial for a permit. Ms. Sukanek gave a summary of the application requesting a variance to place an emergency generator in a required yard set back area.

Vice Chairman Forshaw introduced the following exhibits into the record:

- Exhibit A – Zoning Ordinance 1175, as amended;
- Exhibit B – Public Notice of the Hearing;
- Exhibit C – Permit denial dated; September 25, 2017
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance received October 2, 2017
- Exhibit F – Entire file relating to the application

The court reporter administered the oath to Charles Schagrin from Amherst Corporation. He stated that the residents of 1220 Log Cabin were requesting to place an emergency generator in the proposed location to ensure continuous electrical service to address the resident's health issues. In the past 12 months, the electricity at this address had been interrupted on three separate occasions.

The court reporter administered the oath to Chris Peoples, surveyor. Mr. Peoples explained the reasoning for the requested location near an electrical cabinet and transformer on the property that had received a variance in the past.

A discussion ensued about the practicality of moving existing utility connections.

Public Comment Closed

A discussion followed about the impact of the proposed location and it fitting into the scope of the original variance granted for the transformer and cabinet.

Ms. Long made a motion that based on the evidence presented the Board overturn the decision of the Building Official and grant a variance for the placement of the emergency generator as located on the site plan dated August 18, 2017. Ms. Panke seconded the motion.

The vote was as follows:

Vice Chairman Liza Forshaw	“approve”
Mr. Dan Welsh	“approve”
Ms. Laura Long	“approve”
Ms. Elizabeth Panke	“approve”
Mr. David Schlafly	“approve”

With five (5) votes in favor of approving the variance and zero (0) votes to deny, the motion was approved and the variance was granted.

Ms. Sukanek presented a draft of the ZBA Rules and Regulations for the Board to look over. The Board members proposed moving the date of meetings in 2018 to the first Tuesday of the month. A calendar of proposed dates would be distributed for a consensus on final date approval.

A motion to adjourn was made, all present voted “aye” and the meeting was adjourned at 4:55pm.

DOCKET 1236


DATE OF HEARING Tuesday, November 6, 2017

NAME David Farrell

DESCRIPTION OF PROPERTY 1220 Log Cabin.

CAUSE FOR APPEAL Relief from the Building Official denying a permit for a generator due to an encroachment into required front yard setbacks and in the right-of-way for the property which is in violation of Section V B-(2) and Section V-C-(1)(b) of the Ladue Zoning Ordinance 1175.

RULING OF THE BOARD After a discussion of the facts presented, the Board approved a variance, and the ruling of the Building Official was overturned.



Ms. Liza Forshaw, Vice Chairman