

MINUTES OF MEETING
ZONING BOARD OF ADJUSTMENT
Tuesday, March 6, 2018

DOCKET 1242

5 Colonial Court

A meeting of the Zoning Board of Adjustment was held at 4:00 p.m. on Tuesday, March 6th, 2018 at City Hall.

The following members of the board were present:

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

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

Vice Chairman Forshaw called the meeting to order at 4:00 PM. She stated that there would be two hearings taking place. First would be a variance by the Zoning Board of Adjustment and following that would be a case before them acting as the Flood Management Board.

The first order of business was to elect a new Chairman and Vice Chairman. Ms. Panke made a motion to elect Ms. Liza Forshaw as the new Chairman, Ms. Long seconded the motion. All present voted "aye" and Ms. Forshaw was elected the new Chairman of the Zoning Board of Adjustment.

Ms. Forshaw made a motion to elect Dan Welsh as the Vice Chairman, Ms. Long seconded the motion. All present voted "aye" and Mr. Welsh was elected the Vice Chairman of the Zoning Board of Adjustment.

The first item of business was docket #1242. Notice of Public Hearing, as follows:

**NOTICE OF PUBLIC HEARING
ZONING BOARD OF ADJUSTMENT
CITY OF LADUE, MISSOURI
DOCKET NUMBER 1242**

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 Ross Millman for the property at 5 Colonial Court. Petitioner is requesting relief from the Building Official denying an Addition (Sunroom) due to encroachment into required side and rear yard setbacks per Ordinance 1175 Section IV-D-(8), Section V-C-(1)(a), and Section V-C-(1)(b).

The hearing will be held at 4:00 p.m. Tuesday, March 6, 2018, 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.

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

Mr. Stewart stated they were proposing a remodel to a sunroom addition that would encroach one foot more into the setback than the existing home.

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 – Permit denial dated May 9, 2017;
- Exhibit D – List of Residents sent notice of meeting;
- Exhibit E – Letter from the resident requesting the variance dated February 5, 2018
- Exhibit F – Entire file relating to the application

The Court Reporter gave the Oath to Ross Millman, homeowner of 5 Colonial Ct. He stated that the lot was pie shaped and already non-conforming. They were requesting the variance to remodel an existing sunroom and its roof. Currently the sunroom received a lot of direct sun making it very hot, it was too small for practical use and the roof was leaking which had caused water damage. A slight enlargement would allow them to add a sliding patio door, repair with a more stable roof structure and utilize it as an actual room. All utilities were already in place. The total encroachment on the lot was less than 3 square feet.

PUBLIC COMMENT

Closed

The board discussed the history of granting variances in that subdivision and observed that this project would have a very low impact on neighbors.

After a discussion of the facts presented, Mr. Schlafly made a motion to overturn the ruling of the Building Commissioner and grant a variance based on the site plan received 2/5/18. Mr. Welsh seconded the motion. The vote was as follows:

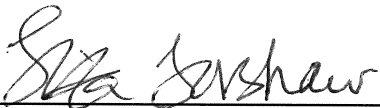
Chairman Liza Forshaw	“approve”
Mr. David Schlafly	“approve”
Ms. Elizabeth Panke	“approve”
Ms. Laura Long	“approve”
Mr. Dan Welsh	“approve”

With five (5) votes in favor and zero (0) against, the variance was granted.

Ms. Long made a motion to adjourn the Zoning Board of Adjustment. Mr. Schlafly seconded the motion. All present vote “aye” and the meeting was adjourned.

DOCKET 1242

DATE OF HEARING	March 6, 2018
NAME	Ross Millman
DESCRIPTION OF PROPERTY	5 Colonial Ct.
CAUSE FOR APPEAL	Requesting relief from the Building Commissioner denying a permit for an Addition (Sunroom) due to encroachment into required side and rear yard setbacks per Ordinance 1175 Section IV-D-(8), Section V-C-(1)(a) and Section V-C-(1)(b).
RULING OF THE BOARD	After a discussion of the facts presented, the Board overturned the ruling of the Building Commissioner and the variance was granted.



Ms. Liza Forshaw, Chairman